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Security Council
Fifty-third Year

Provisional

3855th Meeting
Friday, 20 February 1998, 3 p.m.
New York

President:	Mr. Dangue Réwaka	(Gabon)
Members:	Bahrain	Mr. Buallay
	Brazil	Mr. Amorim
	China	Mr. Qin Huasun
	Costa Rica	Mr. Berrocal Soto
	France	Mr. Dejammet
	Gambia	Mr. Sallah
	Japan	Mr. Owada
	Kenya	Mr. Mahugu
	Portugal	Mr. Monteiro
	Russian Federation	Mr. Lavrov
	Slovenia	Mr. Türk
	Sweden	Mr. Dahlgren
	United Kingdom of Great Britain and Northern Ireland	Sir John Weston
	United States of America	Mr. Burleigh

Agenda

The situation between Iraq and Kuwait

Report of the Secretary-General pursuant to paragraph 7 of resolution 1143 (1997) (S/1998/90)

Letter dated 30 January 1998 from the Chairman of the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait addressed to the President of the Security Council (S/1998/92)

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The meeting was called to order at 3.15 p.m.

Adoption of the agenda

The agenda was adopted.

The situation between Iraq and Kuwait

Report of the Secretary-General pursuant to paragraph 7 of resolution 1143 (1997) (S/1998/90)

Letter dated 30 January 1998 from the Chairman of the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait addressed to the President of the Security Council (S/1998/92)

The President (*interpretation from French*): The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the report of the Secretary-General pursuant to paragraph 7 of resolution 1143 (1997), document S/1998/90, and the letter dated 30 January 1998 from the Chairman of the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait addressed to the President of the Security Council, document S/1998/92.

Members of the Council also have before them document S/1998/136, which contains the text of a draft resolution prepared in the course of the Council's prior consultations.

I should like to draw the attention of members of the Council to document S/1998/125, which contains the text of a letter dated 15 February 1998 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General, transmitting the text of a letter of the same date from the Deputy Prime Minister and Acting Minister for Foreign Affairs of the Republic of Iraq addressed to the Secretary-General.

It is my understanding that the Council is ready to vote on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote.

There being no objection, it is so decided.

I shall first call on those members of the Council who wish to make statements before the voting.

Mr. Owada (Japan): Today, the Security Council is adopting a draft resolution which will increase the resources for the oil-for-food humanitarian programme envisaged under its resolution 986 (1995) of 14 April 1995. Resolution 986 (1995) was conceived as a temporary measure to provide for the humanitarian needs of the Iraqi people until the fulfilment by the Government of Iraq of the relevant Council resolutions, including, notably, resolution 687 (1991) of 3 April 1991. Unfortunately, the non-compliance by Iraq with its obligations has so far made impossible the lifting of sanctions. It should be noted that under these circumstances such a temporary measure has been necessary up until today.

We in the Security Council have all supported the oil-for-food programme under resolution 986 (1995) in order to meet the need to avoid the deterioration of the humanitarian situation of the Iraqi people brought about under the circumstances. In this context, we note with concern the report of the Secretary-General of 1 February 1998, which states, in relation to the current sum available for humanitarian purposes, that

> "it has become increasingly apparent that this sum is inadequate to prevent further deterioration in humanitarian conditions and cannot effect the improvement in the health and nutritional status of the Iraqi population the Council hoped for when it unanimously adopted the measure." (S/1998/90, para. 66)

The Secretary-General recommends that

> "expanded assistance is urgently required to address the humanitarian situation in Iraq" [ibid].

Japan concurs with the provision of additional resources in accordance with his report.

In the view of the delegation of Japan, in order to achieve the objective of resolution 986 (1995), it is important to facilitate the effective and practical implementation of the oil-for-food programme, so that the Iraqi people may benefit fully from the available resources. From this standpoint, Japan supports the Secretary-General's proposals to deal with the humanitarian needs in a targeted manner and to further expedite the implementation process. It is the expectation

of Japan that the concrete arrangements contained in the provisions of this draft resolution, notably in paragraph 2, will prove to be adequate to meet our common objective in the Council of avoiding a further deterioration of the current humanitarian situation.

At the same time, I wish to emphasize that for the effective and efficient implementation of this oil-for-food programme, it is essential that the United Nations observation process be handled in such a way as to provide the required assurance to the Council of the equitable distribution of the goods produced in accordance with this draft resolution and that all supplies authorized for procurement are utilized for the purpose for which they have been authorized.

It is earnestly hoped that all parties, particularly the Government of Iraq, will provide their full cooperation for the effective implementation of this programme. As a member of the Committee established pursuant to resolution 661 (1990), Japan will continue to participate actively in the efforts to further promote the implementation of the programme. It is also important in this context that the Committee ensures that the measures with respect to refining and clarifying its working procedures, as referred to in its report of 30 January 1998, are implemented and that the relevant observations and recommendations referred to in the Secretary-General's report of 1 February 1998 are considered, in particular with a view to reducing the delay between the export of petroleum and petroleum products from Iraq and the supply of goods to Iraq in accordance with this draft resolution.

On 18 February, the Security Council heard from the Secretary-General, Mr. Kofi Annan, about his intention to visit Baghdad and unanimously expressed its full support for his mission. As a member of the Council, Japan earnestly hopes that his visit, which is the determining step for a peaceful solution to the present crisis, will be successful in bringing about Iraq's full and unrestricted cooperation with the United Nations Special Commission (UNSCOM) in accordance with all relevant resolutions. It is the sincere desire of Japan that the day will come as soon as possible when the sanctions currently applied to Iraq will be lifted through Iraq's full compliance with its obligations under the relevant resolutions.

The adoption of this draft resolution at this precise juncture, when the Secretary-General is meeting with the leadership of the Government of Iraq, is particularly significant in this context as an important signal from the Council and from the international community to the Iraqi people.

For these reasons, my delegation will vote in favour of this draft resolution.

Mr. Dejammet (France) (*interpretation from French*): The text that we shall be adopting today represents an important step in the right direction. Before the Secretary-General's important visit to Baghdad it was essential for us to be able to express our support for his report and his recommendations for improving the arrangements provided for in resolution 986 (1995).

Four basic principles emerge from this draft resolution. The oil quota has been raised to the highest level of Iraqi pre-war production. Iraq, therefore, will be able to export its main resource without restrictions.

The utilization of funds has been rebalanced to the advantage of infrastructure. This was the desire expressed by United Nations agencies and humanitarian organizations in the field. After seven years of embargo, the humanitarian situation in Iraq can no longer be treated like a natural disaster: sending medicine and food is not enough. Iraq must be able to have a minimum of agricultural production; the population must have drinking water; and children must be able to go to school.

The important role of the electricity sector is being recognized. Without electricity there are no hospitals worthy of the name; vaccines cannot be preserved; and healthy living conditions cannot be maintained. We await with great interest the report of the Secretary-General on this sector and on the means of financing that he may propose to us.

The last principle is that consideration of the means necessary for Iraq to achieve its oil quota has begun. A report from a group of experts is being requested promptly. The Council expresses its readiness to implement their recommendations and to authorize the sanctions Committee to approve the contracts pertaining to the spare parts needed to maintain oil pipelines and oil wells.

This text is only one stage. Its implementation will require the conclusion of arrangements between the Secretary-General and the Iraqi Government. Those arrangements must be in keeping with the spirit of the memorandum of understanding reached between Iraq and

the Secretary-General in 1996. The sovereignty of Iraq must be preserved, and the temporary nature of the distribution plan should be underlined. The discussions between the Iraqis and the Secretary-General will provide an opportunity to spell out several of these recommendations more clearly, to test their feasibility. They will enable us to review priorities. It will then be for the Iraqis to present a distribution plan before this draft resolution can enter into force.

This draft resolution is only one stage. Others must follow. The Council has not taken a decision on the means to be granted to Iraq to achieve its quota. It has stated its position only on the principle and on the basis of a report.

We would have wished the text to go farther at this point. This was not possible. We shall therefore have to get back to work. Everyone knows that, in the view of international experts and of the principal country concerned, Iraq, that country cannot have exports worth more than $4 billion every six months. Thus, as soon as the report is submitted, the Council must enable Iraq to achieve its quota. Otherwise, today's exercise will have been in vain and in retrospect will appear more political and less realistic.

The Council will soon have to take a position on the Secretary-General's report on the electricity sector, which, according to the United Nations Children's Fund (UNICEF), the Food and Agriculture Organization of the United Nations and the United Nations Development Programme, plays a key role in stabilizing the situation. If external financing from international donors cannot be found, it will then be necessary to reintroduce the electricity sector, which is modestly addressed in the provisions to be adopted today, into the distribution plan.

I believe it is necessary to bear in mind how catastrophic the humanitarian situation is in Iraq. I would recall that, according to information provided by the World Health Organization and UNICEF, infant mortality rose from 24 per thousand in 1990 to 168 per thousand in 1996. That is a sevenfold increase. Monthly deaths of children under the age of five tripled, from 1,500 to 4,500, in 1996. The mortality rate has tripled since 1990 among people over the age of 50. I shall stop there.

The decision we are to take today is therefore important; however, only the lifting of the embargo, which in turn depends upon the full implementation of paragraph 22 of Security Council resolution 687 (1991) will truly make it possible to resolve the present humanitarian situation. Iraq's cooperation with the Special Commission and, in the immediate term, the success of the Secretary-General's mission in this regard are essential.

Mr. Amorim (Brazil): The oil-for-food mechanism established by resolution 986 (1995), and to be expanded in accordance with the recommendations of the Secretary-General through the draft resolution presented to the Security Council today, is a central piece of the work of the United Nations in Iraq.

The imposition of comprehensive sanctions on Iraq's external trade should have been a short-term measure The expectation of the international community was that Iraq would comply promptly with all the requirements of resolution 687 (1991) and previous Security Council resolutions, and that the trade restrictions would be lifted.

Unfortunately, this has not been the case. Seven years later, we still face the problem of ensuring full Iraqi compliance. It has become imperative to devise suitable ways for satisfying the essential needs of Iraq's civilian population, which was never intended to be subjected to any form of collective punishment.

For this reason, Brazil has been supportive of the oil-for-food mechanism. We endorsed the recommendation for its expansion presented by Secretary-General Kofi Annan on 1 February.

We share his conclusion, based on the extensive experience of the Office of the Iraq Programme and United Nations agencies in the field, that it is essential to channel resources to the recovery of essential infrastructure sectors in Iraq, including water and sanitation, education, transportation and electricity. Without urgent repair, the deterioration of Iraqi infrastructure would substantially reduce the positive impact of the supplies of food and medicine.

Therefore, we joined other delegations in the efforts to prepare a technical resolution that, in accordance with the recommendations of the Secretary-General, would allow for the rapid increase of the volume of oil authorized for export, with a view to using the additional resources for addressing the basic needs of the Iraqi people.

We strove for a resolution that would be credible and practical. The Security Council's aim is not just to send a message to the Iraqi people; rather, our objective is to provide the essential supplies that the Secretary-

General considers indispensable to prevent a further deterioration of the very serious humanitarian situation in Iraq.

The text before us, even if it is not perfect, addresses our basic requirements. The Secretariat will have to work intensively with Iraq in order to overcome the remaining technical difficulties. Such work should take place in a spirit of flexibility and fairness, in accordance with the Memorandum of Understanding signed between the United Nations and Iraq.

We expect the Government of Iraq to present, as soon as possible, a distribution plan which includes a description of the goods to be purchased and which effectively guarantees their equitable distribution. We call upon the Government of Iraq to engage fully in the technical discussions with the Secretariat in order to fulfil the requirements for the entry into force of the expanded mechanism.

Iraq should be assured of the temporary nature of the mechanism. Once full compliance by Iraq with the pertinent resolutions is assured, the Security Council will act in accordance with its own resolutions, and the process of lifting the sanctions can be started.

The Security Council and its sanctions Committee should also be ready to work together with the Secretary-General in the months to come, in which a number of reports with specific recommendations on the oil-for-food mechanism are to be expected, according to the draft resolution we will be adopting today.

Finally, it is impossible not to mention the fact that the outcome of the Secretary-General's current mission of good offices to Baghdad is directly linked to the evolution of the humanitarian situation in Iraq. By adopting this draft resolution and approving the recommendations of the Secretary-General, the Security Council will also be giving a signal of its full and unanimous support for his mission, in the firm hope that a peaceful solution can still be found for the current crisis.

We still believe that a combination of firmness in substance and flexibility in form can provide the diplomatic solution we all agree is the best outcome. In the critical decisions of the next few days, the Security Council will again rely on the good judgement and advice of the Secretary-General.

Mr. Lavrov (Russian Federation) (*interpretation from Russian*): Russia is deeply concerned over the scope and serious consequences of the continuing humanitarian crisis in Iraq. From the Secretary-General's report submitted to the Security Council, we see clearly that during the course of the implementation of the three stages of humanitarian resolution 986 (1995) we were not able to achieve a breakthrough in the situation and fundamentally improve the impoverished situation of the Iraqi population.

Therefore, the Secretary-General quite rightly proposes a comprehensive approach to the resolution of the problem of food supplies and health care, providing for parallel measures in the areas of energy supply, water supply and agriculture, without which the real value of humanitarian supplies would be significantly diminished and in some cases would be reduced to nothing.

Today we will be adopting a draft resolution to increase revenues in order to satisfy Iraq's priority humanitarian requirements through an increase in the level of oil exports for this purpose to $5.256 billion. But there is much more to this task. The United Nations Secretariat must in the shortest possible time-frame work out with the Iraqi side a distribution plan for optimum use of the additional funds.

The Iraqi oil infrastructure, in its current state, is hardly able to extract oil for export at the required levels for humanitarian purposes. Repairs are needed for worn-out equipment, which can be accomplished through supplying the relevant spare parts and materials. Needless to say, the financing of such a project requires additional quotas for oil exports, which must be agreed upon by the Secretariat and the Iraqi side. We expect the urgent preparation of additional recommendations by the Secretary-General on the restoration of the oil infrastructure, as provided for in the draft resolution.

On the whole, the draft resolution meets the aim of relieving the suffering of the Iraqi population, and we support the consensus that has come about in the Council. During the course of the work on the draft resolution, the sponsors took into account many of the concerns of a number of delegations, including our own. However, some of the provisions could have been further improved. So, in our view, there is no need to emphasize the priority nature of various sectors; the optimum interrelationships of various categories of humanitarian products should be defined in the course of agreeing upon and approving the distribution plan submitted by Iraq.

We also proceed from the understanding that the establishment of a distribution plan in the draft resolution does not mean that that plan cannot be changed. At each new stage this plan must be fully thrashed out with Iraq and submitted to the Secretary-General of the United Nations for approval, as is emphasized in the preamble of the resolution. There are other aspects, which evidently will have to be ironed out in the process of the implementation of the resolution within the framework of the Sanctions Committee. All members of that Committee must recognize their responsibility for achieving radical changes in the humanitarian situation in Iraq.

In conclusion we would like to pay due tribute to the United Nations humanitarian programme staff in Iraq, who, under challenging circumstances, are performing an important and noble task. We noted with satisfaction the clarification provided by the Secretariat that all the necessary staff will remain in Iraq and continue to carry out the humanitarian programmes.

Mr. Monteiro (Portugal): Barely one month and a half has elapsed since we adopted resolution 1143 (1997), in which the Council unanimously welcomed the intention of the Secretary-General to submit a supplementary report to find ways of improving the implementation of the humanitarian programme in Iraq. The Council expressed its willingness to consider an increase of the Iraqi resources funding the oil-for-food programme as needed to meet the priority humanitarian requirements of the Iraqi people. By the same resolution the 661 Committee was asked to present a report on the refining and clarifying of its working procedures.

During this period major efforts were undertaken by the Secretary-General, the Secretariat, members of the Council and the 661 Committee to review all aspects of the humanitarian programme. Many complex technical aspects were involved. The common objective was not only to provide for the continuation of the programme, but also to ensure its renovation by giving it a different and substantially increased humanitarian dimension.

The draft resolution before us embodies the appropriate reaction of the Council to all these efforts, in particular to the innovative proposals contained in the comprehensive report submitted by the Secretary-General earlier this month, which we welcomed and which deserves our highest appreciation.

As President of the Iraq sanctions committee, I have an acute sense of the serious humanitarian needs at stake and the obvious urgency of meeting them. This prompted my delegation to initiate immediately, upon the presentation of the reports, consultations with all Council members with a view to achieving agreement on a resolution giving the Council's full endorsement to the Secretary-General's recommendations.

These consultations clearly demonstrated the full commitment of all delegations to the humanitarian interests involved and the success of their cooperation in those endeavours. Many technical complexities had to be addressed. Others may still arise, or some elements may still need to be clarified. But we are confident that all the relevant questions are included in the text of this draft resolution. It provides a clear political endorsement of the actions envisaged in the new extended programme and, at the same time, allows for the necessary flexibility in its implementation, including adjustments that may be recommended by further studies to be made with the cooperation of the Iraqi authorities.

The goals that we have to achieve with this draft resolution can be attained only with the cooperation of the Iraqi authorities. We praise the Secretary-General for having repeatedly sought that cooperation in his overall review of the humanitarian programme and the preparation of his report. Unfortunately, certain questions remain unanswered. We join the Secretary-General in his appeals to the Iraqi authorities to cooperate fully in the implementation of this programme. With its unprecedented scope it can definitely provide substantial relief to the needs of the Iraqi people, not just through a considerable increase in the required food and health supplies, but also by providing for the rehabilitation of basic infrastructures in Iraq.

The unanimity of this Council around this draft resolution and the extended humanitarian programme it encompasses shows the resolve of the Council to improve the humanitarian situation of the Iraqi people. But it also conveys a clear positive signal at this very significant moment when the Secretary-General is in Baghdad. We fully back him and wish him complete success.

Mr. Mahugu (Kenya): The Kenya delegation is pleased with the speed with which the Council has been able to react to the Secretary-General's recommendations contained in his report S/1998/90 of 1 February 1998, which, *inter alia*, calls for the expansion and improvement of the implementation of the humanitarian programme for Iraq under Security Council resolution 986 (1995) of 14 April 1995: the oil-for-food

programme. The fact that the Council has responded quickly against the backdrop of rising tensions precipitated by the current crisis is an indication of its commitment and readiness to continue to provide for the humanitarian needs of the Iraqi people.

As we have stated in the past, the oil-for-food programme, which was conceived as an exemption to the existing sanctions regime, is intended to minimize the adverse effects suffered by the innocent civilian population as a result of the embargo on the Government of Iraq. But neither these arrangements nor the punitive impact they were intended to have gives us any measure of comfort. Consequently, we attach a great deal of importance to the onerous mission of the Secretary-General to Baghdad this weekend. The suffering of the people of Iraq should be brought to an end once the conditions imposed by the Security Council have been met by the Iraqi authorities. The mission should not only avert any possible military confrontation but also produce results that will soon provide the first glare of light at the end of the tunnel.

The current stand-off, which we hope will be brought to an end peacefully, should not be allowed to delay the implementation of the Secretary-General's proposals. We have thus favoured a draft resolution that is technical in content and completely de-linked in substance from other political considerations. We wish, in this regard, to express our thanks to the drafters of the draft resolution for coming up with the initial text and for coordinating subsequent consultations, which have resulted in this consensus text before us today.

The objectives underlying this draft resolution can be realized only with the cooperation of the Iraqi authorities. In particular, we hope that the long delays experienced after the Council adopted resolution 986 (1995) and before its effective implementation will not be repeated. This is even more important since the programme review described in the report of the Secretary-General did not benefit from the input of the Iraqi Government. The report notes,

> "Should the Council approve additional funding, all the recommendations regarding additional inputs would require detailed discussions with the Government of Iraq and local authority counterparts in order to clarify outstanding issues and to establish a clear agreement on priorities." (*S/1998/90, para. 6*)

We therefore urge the Secretary-General to meet with the Iraq side as soon as possible and work out the details within the framework of the existing memorandum of understanding in order to clear up any misunderstandings.

As the Secretary-General has repeatedly observed in his reports to the Council on the oil-for-food programme, this exceptionally unique and unprecedented programme presents complex difficulties of implementation, with all its attendant political, psychological and commercial dimensions. Indeed, there is interlinkage between the processes involved in the delivery and distribution of supplies and the infrastructure necessary to support the related activities. For example, seeds, fertilizer or weed killers purchased under the humanitarian programme will be rendered useless if the necessary implements, storage, transportation or handling systems are not functioning due to breakage.

The Secretary-General has addressed this matter in his report. We agree with his conclusion that the deterioration of basic infrastructure in sectors other than food and health is undermining the value of our humanitarian input. We therefore believe that means have to be provided to Iraq not only to improve the infrastructure necessary for the implementation of the expanded humanitarian programme, but also to enhance the capacity to pump sufficient oil to meet the increased levels. It is our hope, therefore, that the Secretary-General will act on paragraphs 11 and 12 and submit his findings to the Council without delay.

It is for all these reasons that Kenya will vote in favour of the draft resolution.

Mr. Dahlgren (Sweden): This afternoon, the Secretary-General is arriving in Baghdad on a crucial mission to try to defuse a crisis that has been the focus of worldwide attention for weeks. Not only are the good offices of the Secretary-General being utilized in their most direct form, but he has also embarked on his trip with the full and unanimous backing of the Security Council and United Nations Member States. I would like to take this opportunity, on behalf of my Government, to restate our firm wishes for his success in seeking a peaceful, diplomatic solution to the current crisis.

A couple of weeks ago, we received the supplementary report of the Secretary-General on the humanitarian situation in Iraq. It is worrying reading. In almost all sectors — food/nutrition, health, electricity and others — the situation is described as grave and deteriorating. It has been clear to us all that something had to be done urgently to address the alarming

humanitarian situation and to alleviate the plight of the Iraqi population. A significant expansion of the so-called oil-for-food programme could meet that end.

That is why, together with the United Kingdom and Portugal, Sweden engaged in an effort to try to put the recommendations contained in the report of the Secretary-General into a Security Council resolution. Our aim was to find common ground that would enable this Council to give unanimous support to an expansion of the humanitarian programme in Iraq.

A comprehensive approach is the proper response to the needs of the people of Iraq. Through the adoption of this draft resolution, crucial resources will be made available for medicine and food, as well as for other sectors such as water, sanitation, agriculture and electricity. The expanded programme will support vulnerable groups, in particular children, and the effectiveness and flexibility of the programme will be further enhanced when the distribution plan envisaged for the implementation of the draft resolution is approved.

By adopting the draft resolution before us, the Security Council will demonstrate its determination to help alleviate the humanitarian crisis in Iraq. But the oil-for-food programme alone cannot satisfy all the humanitarian needs of the Iraqi people and was never intended to do so. We should keep in mind that the oil-for-food programme is a temporary arrangement. It will no longer be necessary once Iraq fulfils the requirements of all relevant Security Council resolutions and the sanctions are subsequently lifted. Meanwhile, the Government of Iraq continues to have a responsibility for the needs of its population, of course, and must also cooperate fully with the United Nations in the implementation of this complex and unprecedented humanitarian programme. At the same time, the United Nations, on its part, must continuously make sure that the process is running as smoothly as possible.

We believe that a unanimous vote in favour of this draft resolution would send a clear and important signal to the Iraqi Government at this point. We are also convinced that such a demonstration of unity would be conducive to the talks in which the Secretary-General will soon be engaged in Baghdad.

Mr. Qin Huasun (China) (*interpretation from Chinese*): Iraq has been under sanctions for more than seven years and the humanitarian there has continued to deteriorate. The Chinese delegation expresses its deep sympathy with the people of Iraq for their sufferings.

The draft resolution before us would approve an increase in the amount of oil to be exported by Iraq and would thereby increase the amount of humanitarian supplies it can import. We believe that this would help to alleviate the current humanitarian situation in Iraq. The Chinese delegation will therefore vote in favour of the draft resolution before us.

The oil-for-food programme should proceed on the basis of full respect for the sovereignty of Iraq and be implemented strictly in accordance with the memorandum of understanding between the United Nations Secretariat and the Government of Iraq. We hope that, once the draft resolution is adopted, the parties concerned will actively collaborate in its implementation. We hope that there will be no linkage in the implementation process itself between this humanitarian question and political issues.

We urge the parties concerned to expedite the review and approval procedure and to avoid artificial delays in order to ensure that the oil-export earnings are converted into humanitarian supplies as soon as possible. In the meantime, I wish to emphasize that the current plan is merely a temporary measure for easing the humanitarian situation in Iraq. A definitive solution to the humanitarian crisis in Iraq lies solely in the gradual removal of the sanctions against that country.

The Security Council is considering a draft resolution on the humanitarian programme for Iraq on the very day when the Secretary-General is arriving there for diplomatic mediation. We sincerely hope that he will achieve success in his visit.

Mr. Türk (Slovenia): Slovenia fully supports the draft resolution on the review of Security Council resolution 986 (1995) on the humanitarian programme for Iraq. We commend the delegations that worked to prepare the draft resolution and to make it possible for the Council to adopt it.

Perhaps this is an occasion at which a thought of a general character might be in order. Sanctions are generally a blunt instrument that has many unintended consequences. Imposing and implementing sanctions against a country unfortunately carries with it disproportionate suffering for innocent people. In this context, let me refer to a recent document, General Comment No. 8 adopted in December 1997 by the Committee on Economic, Social and Cultural Rights — an expert body of the United Nations. In that document, the Committee stated that sanctions

> "often cause significant disruption in the distribution of food, pharmaceuticals and sanitation supplies, jeopardize the quality of food and the availability of clean drinking water, severely interfere with the functioning of basic health and education systems, and undermine the right to work." (E/C.12/1997/8, para. 3)

In short, sanctions, according to the opinion of that expert Committee, almost always have a dramatic impact on the rights recognized in the International Covenant on Economic, Social and Cultural Rights.

In such situations the international community, and of course the Security Council in particular, have a great obligation to take steps to reduce disproportionate suffering, especially suffering affecting the most vulnerable groups. We share the view that decisions to reduce the suffering of those groups can be taken without jeopardizing the policy aim of sanctions themselves.

The Government concerned may not always be sensitive to these problems, but the Security Council must, and it must also demonstrate its ability to find solutions.

These are some of the main reasons for which we fully support the efforts of the Secretary-General and of the Security Council to improve the implementation of the humanitarian programme for Iraq and to take such actions over additional resources as needed to meet the priority humanitarian requirements of the Iraqi people. We believe that our common efforts fulfil the task of alleviating the critical humanitarian situation in Iraq. We believe that the draft resolution to be adopted today is comprehensive and covers all of the aspects of the humanitarian crisis to which the Secretary-General drew attention in his report of 1 February 1998. It approves a necessary substantive increase in the export of oil from Iraq; it provides for an increase in and an improvement in the quality of the food/nutrition basket; it provides for additional and necessary medical supplies; and last but not least, it expresses the Council's readiness to approve the necessary infrastructural refurbishment.

In conclusion, we would like to express our regret and concern that the Government of Iraq did not cooperate fully with the Secretary-General in the preparation of his report. We therefore urge the Iraqi Government to extend its full cooperation in the effective implementation of the present draft resolution.

Mr. Buallay (Bahrain) (*interpretation from Arabic*): The Security Council adopted many resolutions to confront the Iraqi occupation of the State of Kuwait in 1990, including the imposition of a comprehensive embargo on Iraq, because it violated the principles of international legitimacy. Asking Iraq to comply fully with the implementation of the relevant Security Council resolutions is nothing more than the consequence of my country's desire to have the imposed embargo lifted thereafter. This is the embargo whose negative effects have been borne by the Iraqi people.

The information emanating from various United Nations specialized agencies, particularly from the United Nations Children's Fund, the Food and Agriculture Organization and the World Health Organization reveal the deteriorating health and nutritional conditions of Iraqi people from all sectors of the population, including the elderly, women and children. The mortality rate has reached frightening proportions. Subsequently, the Security Council adopted resolution 986 (1995) as a contribution towards addressing the deteriorating situation by allowing Iraq to export a quantity of its oil, valued at $2 billion, every six months. That sum is earmarked to meet the increasing needs of the Iraqi people for food and medicine, which is known as the oil-for-food programme.

With the continuation of sanctions and since the adoption of the resolution mentioned earlier, whereby the international community is asking Iraq to implement the relevant Security Council resolutions, resolution 986 (1995) has proved itself unable to deal sufficiently with the deteriorating situation of the Iraqi people because the amount provided by that resolution is not sufficient. In addition, the resolution faced difficulties in its implementation. Hence, the Security Council has discussed the deteriorating situation with concern, and, as a result, it adopted resolutions 1111 (1997) and 1129 (1997). Furthermore, the Security Council has asked the Secretary-General, in accordance with its resolution 1143 (1997), to study that deteriorating situation and to submit a report in that regard, including his recommendations to address the situation. The report of the Secretary-General (S/1998/90) explained in detail the unsettling living conditions affecting the health and living standards under which the Iraqi people have suffered as a result of the continued sanctions. The Secretary-General's recommendations were positive with respect to their contribution towards meeting that situation in connection with doubling the value of the medicine and food protein basket. They also included bolstering the health and medical treatment assistance and the repair of the

infrastructure, education, agriculture, and so on. The report also stressed the need to ensure that this assistance reaches the Iraqi people.

Conscious of the depth of its responsibility towards addressing the negative social situation in Iraq, the members of the Council have worked seriously and strenuously for 20 days to produce an integrated draft resolution, which is before us today for adoption. The crystallization of this draft was accompanied by an exchange of viewpoints reflecting some divergence. This is natural in view of the multiplicity of elements of the oil-for-food programme and the concomitant complexity of the means of its implementation. However, we have at last at the end of our endeavours reached a positive result.

The State of Bahrain finds that the present draft resolution is to be regarded a necessary measure with respect to its taking into consideration the recommendations of the Secretary-General concerning the increase in the amounts allocated to food and medicine. However, we have a few observations as follows:

First, the draft resolution should be implemented with the full cooperation of the Iraqi authorities. Secondly, the measures proposed in its operative paragraphs are not characterized by flexibility and by distancing from bureaucracy. These are the two conditions which must obtain in order to ensure quick and streamlined implementation, so that the humanitarian assistance can reach the Iraqi people in a timely manner. We understand the Security Council's cautious approach which aims at ensuring that the assistance reaches its real destination. But too much control would definitely lead to a degree of delay in the delivery of that assistance to the Iraqi people, which is embodied in the resolution before us today.

Thirdly, my delegation supports all the recommendations contained in the Secretary-General's report on which today's draft resolution is based, including his recommendations concerning permission of the export of the necessary equipment to Iraq in order to enable it to export its oil. Therefore, the group proposed to be formed for this purpose, mentioned in operative paragraph 12 of the draft resolution, should finish its job within the time specified as necessary for the exportation of the Iraqi oil, in accordance with this draft resolution.

Fourthly, my country, once again, reaffirms before the Council that the present draft resolution is not in any way linked to resolution 687 (1991), related to the destruction of weapons of mass destruction. Thus we are focusing on the purely humanitarian nature of today's draft resolution, which concentrates on addressing the deteriorating conditions of the Iraqi people. Fifthly, my delegation affirms the need to respect the sovereignty and territorial integrity of Iraq. This is stressed in the eighth preambular paragraph of the draft resolution that is before us today.

Finally, the State of Bahrain considers the present resolution as the climax of positive and important responsiveness by the Security Council resulting from the Council's efforts in support of humanitarian assistance directed to the Iraqi people. My delegation also finds that this draft resolution is very well timed as it coincides with the peaceful mission of the Secretary-General, which he, at present, is undertaking in Baghdad in pursuit of his good offices to deal with the current crisis between Iraq and the United Nations Special Commission.

The adoption of this draft resolution could be an incentive to give more weight to the peaceful solution of the crisis with a view to the protection of the Security Council's credibility and position, and the enabling of Iraq, the region and the world to avoid the scourge of non-pacific options in view of their devastating consequences. We therefore will support the draft resolution and vote in its favour.

Mr. Berrocal Soto (Costa Rica) (*interpretation from Spanish*): Costa Rica attaches the greatest importance to the holding of this formal meeting, in which the Security Council will express its position regarding the humanitarian situation in Iraq, in the context of resolutions 986 (1995), 1111 (1997), 1129 (1997) and 1143 (1997) and in the light of the important report submitted by the Secretary-General on 1 February.

From our point of view, the fact that the Security Council is meeting today to address this matter takes on special relevance in view of the current grave situation and the vital peace mission that Secretary-General Kofi Annan is conducting in Baghdad with the full support of the Security Council and in keeping with the powers and obligations established for the Secretariat in the United Nations Charter.

Costa Rica believes that, in the present circumstances, the fact that the Security Council is debating and is to adopt a draft resolution concerning the difficult humanitarian situation suffered by the Iraqi people is a clear demonstration of its political sensitivity and its willingness to assume a broad and constructive

role in solidarity with the inhabitants of that country, who are in no way responsible for the actions, omissions or decisions of their rulers.

The draft resolution before us is an important contribution by the Security Council to avoid a further worsening of the difficult humanitarian situation of the people of Iraq. The fact that we agree on the increase in the amount of exports of Iraqi petroleum and petroleum products should lead to a substantial increase in the amount of tangible humanitarian resources available to attend to the urgent needs of the inhabitants of that country. This is a significant improvement over the situation at the end of 1997, and my country expresses its satisfaction with the unanimity of the Security Council.

This will of course require enhanced capacity, efficiency and management on the part of the United Nations so that it can appropriately and without undue delay attend to matters such as the approval of contracts and the follow-up on the ground to verify and ensure that the goods obtained are distributed, and distributed equitably to all of the Iraqi population. My country is fully aware of the responsibility and enormous magnitude of this humanitarian programme and what it means to the United Nations.

We of course understand that the draft we have before us is far from perfect. My delegation would have preferred greater flexibility and scope in some of its provisions with a view to guaranteeing its humanitarian character. However, we understand the present complicated political conditions under which it has been negotiated, and we therefore express our appreciation to the sponsors for their great effort to harmonize positions. The final point to emphasize is that this decision of the Security Council expresses clearly the unanimous desire of the 15 members to make a positive contribution, from a humanitarian point of view, to resolving the current crisis in Iraq.

On the basis of what I have just stated, Costa Rica reiterates the position of principle that it has maintained since last year and expresses its full support for the draft resolution before us. At the same time, my delegation is extremely pleased that this decision is to be taken precisely on the day of the Secretary-General's arrival in Baghdad to negotiate a peaceful diplomatic solution to the crisis with Iraq.

Mr. Burleigh (United States of America): The United States is proud to cast its vote today in favour of this draft resolution to expand the 986 humanitarian programme in Iraq. It is, quite simply, the largest United-Nations-sanctioned humanitarian programme in the history of the Organization. As such, it is a concrete demonstration that the United Nations, and in particular the members of this Council, remains committed to meeting the essential humanitarian needs of all of Iraq's people.

Let me make our position very clear. The United States is deeply concerned about the welfare of the Iraqi people and we want to do everything we can to make sure their basic needs are met. For that reason, we welcomed the Secretary-General's recommendations. We strongly supported expansion of the 986 programme to make it more effective and more efficient. We favoured an increase in the dollar amount of oil sales permitted under the programme in order to finance the importation of additional humanitarian goods. We believe that expanding the scope of the programme is desirable and in fact essential to its humanitarian goals.

Our position and that of all the other members of the Council stands in stark contrast to the policies of Iraq's leadership. While Iraqi children have gone hungry, Saddam Hussein has diverted scarce resources to build more palaces and weapons of mass destruction. While Iraq has ceaselessly complained about delays in the sanctions Committee, it has submitted hundreds of 986 contracts that fail to meet the criteria and procedures that Iraq agreed to with the United Nations Secretariat and has routinely stooped to political favouritism in the 986 contracting process. And after the Council extended the 986 programme twice in 1997, the Iraqi Government twice delayed new oil sales under the resolution, needlessly slowing the delivery of humanitarian goods and forcing the Council to adopt resolution 1129 (1997) to avoid further deterioration of the humanitarian situation. Indeed, Iraq refused even to provide input to the Secretary-General's report, a report intended to provide to the Council recommendations on ways to improve the delivery and increase the supply of humanitarian goods to Iraq. On 5 February Iraq sent its official observations on the Secretary-General's report, in which it rejected many of his proposals and recommendations. Most notably, it rejected his call for an ongoing distribution plan and his practical expectation that Iraq would contribute local resources to infrastructure projects.

The use of one's own resources to help one's own people is a basic moral obligation that should form the cornerstone of a responsible Government's response to real humanitarian needs. Iraq's failure to provide

information for the Secretary-General's report and its failure to commit its own resources to support his humanitarian recommendations are telling reminders of the Iraqi Government's true attitude toward the plight of its people. That is why the United States stands ready to work closely with other members of this Council to ensure that this resolution works as intended — works not for the benefit of the Iraqi regime, but for the welfare of ordinary people in Iraq.

We must give the Secretary-General our strong support and clear guidance as he implements this massive programme, including a significant expansion of the United Nations observation and monitoring function in Iraq. We must make certain that food and medicine, and infrastructure improvements directly related to their distribution, remain the top priorities under this new resolution. Nothing is more important to the basic welfare of Iraqi citizens. We must make certain that the goods imported into Iraq under this resolution are carefully observed and monitored so that they cannot be diverted to military purposes or used for the personal benefit of the Iraqi leadership. We must make certain that the other commitments Iraq agreed to when it accepted resolution 986 (1995) — for example, paying a certain percentage of oil revenues to fund the United Nations Special Commission, the United Nations Compensation Commission, and other important functions — are honoured. We must make certain that the sanctions Committee acts quickly yet responsibly to approve contracts in a manner consistent with the intent of this and other relevant resolutions. And we must wait until we have more and better information before authorizing any oil infrastructure improvements under this resolution, and do so only after careful consideration on the basis of the Secretary-General's forthcoming report and of the humanitarian objectives of this resolution.

Let me remind everyone that resolution 986 (1995) was intended by the Security Council as a temporary measure to provide essential humanitarian assistance to the Iraqi people, not as a vehicle to refurbish Iraq's economy. That will be possible only when the sanctions authorized by the Council are lifted. And that, in turn, will happen when Iraq complies fully and unconditionally with all relevant resolutions of the Council.

It is sad that the Iraqi leaders have postponed that day for so long by consistently and flagrantly flouting their obligations under the resolutions, obligations that they themselves agreed to under the terms of the Gulf War ceasefire. Unfortunately, as long as the Government of Iraq persists in its mistaken belief that it can defy the will of the international community and that of the Council, the sanctions must remain in place, and the United Nations will continue to bear the burden that the Iraqi Government has refused: caring for the welfare of the people of Iraq.

Mr. Sallah (Gambia): The importance of the oil-for-food programme cannot be overemphasized, for the procurement and distribution of food, medicine and other humanitarian supplies to assist in the alleviation of the hardship being suffered by the vulnerable sectors of the Iraqi population is a great step in the right direction. This is an important element in the implementation of Security Council resolution 986 (1995).

My delegation welcomes the substantial increase effected in this direction, as outlined in the distribution plan submitted by the Secretary-General, which is the object of the draft resolution being considered. The fact that the distribution plan is not being affected in any way by the present circumstances is very gratifying to my delegation, for this shows the great concern the Security Council has for the well-being of the ordinary Iraqi citizens.

The implementation of this programme in its increased form, as recommended by the Secretary-General, will also assist in putting back into proper shape the deteriorating infrastructure, which is vital in ameliorating the agricultural and other sectors. Thus, my delegation feels that Iraq should not form any linkage between the enhanced programme and non-compliance with the implementation of resolution 687 (1991). We therefore urge Iraq to embrace this magnanimous gesture and cooperate fully with the implementation of the distribution plan under the oil-for-food programme.

My country, the Gambia, is not insensitive to the suffering of the vulnerable groups in Iraq affected by the imposition of sanctions. The grim statistics in the Secretary-General's report of 1 February 1998, document S/1998/90, speak for themselves. But the Iraqi authorities have an obligation to fulfil: full compliance with all the relevant Security Council resolutions, as well as cooperation with the Secretariat on the implementation of the expanded oil-for-food programme. The Iraqi authorities should not hold their suffering people as hostages.

In the interest of peace and tranquillity, we are further urging Iraq to afford the Secretary-General the

necessary cooperation so that a bright light can be seen at the end of the tunnel. The Iraqi authorities should not lose sight of the fact that the whole world is advocating a peaceful resolution of the present stand-off, and the opportunity now presents itself in the form of the variables being offered in this regard by the Security Council through the Secretary-General. We urge them to fulfil their part of the bargain.

With these remarks, we reiterate our profound wish for a very successful mission by the Secretary-General, whose untiring efforts for the peaceful resolution of the present impasse are highly commendable. In the light of the foregoing, my delegation will vote in favour of the draft resolution before us today.

Sir John Weston (United Kingdom): This draft resolution, in whose preparation, along with Portugal and Sweden, the United Kingdom has played a major part, would implement the recommendations of the Secretary-General to expand the oil-for-food programme in Iraq. But it is more than just a technical draft resolution. It is a clear message that we are not prepared to see the Iraqi people suffer as a consequence of the actions of their leaders, a message that we will do everything we can to see that their urgent humanitarian needs are met.

This draft resolution will mean a massive increase in the humanitarian programme in Iraq. It will pay for the food and medicines the Iraqi people so badly need. It will help restore clean water and proper sanitation to hundreds of thousands of Iraqis. It will restore schools and help farmers increase their output. And, as a new measure, it will provide funds for Iraqi pilgrims to perform the Hajj.

No one wishes to see sanctions maintained for one moment longer than necessary. We have always been determined that their impact on the Iraqi people be minimized and their impact on the Iraqi regime maximized. Despite Iraqi propaganda, we all know that food and medicine are not covered by United Nations sanctions, and thus it is not sanctions that have prevented food and medicine from getting to the Iraqi people. We have done our utmost to ensure that their needs are met. In 1991 we presented a resolution allowing Iraq to sell oil in return for humanitarian supplies. The Iraqi regime refused to implement it. We tried again later that year with another resolution. Again, the United Nations adopted it and Saddam Hussain rejected it.

In 1995 we all tried again, adopting the oil-for-food resolution 986 (1995). The Iraqi regime opposed the resolution for over a year. For months afterwards they prevented its implementation. When they did sell oil, they used the money to lower, by an equivalent amount, their own spending on the welfare of the Iraqi people. Meanwhile, Saddam Hussain has spent at least $1 billion on his presidential palaces.

We have said it many times before, but it needs to be repeated: all that the Government of Iraq has to do to bring about the lifting of sanctions is to comply with the resolutions of this Council. It is a simple enough demand, but one that the Government of Iraq persists in ignoring. Instead, the Iraqi regime has cynically manipulated the oil-for-food programme and slowed the delivery of supplies to the people who most need them. They have prolonged the suffering of the Iraqi people for their own political ends.

This draft resolution therefore rightly responds to the strong wish of every member of the Security Council to do everything possible to bring much-needed humanitarian relief to the Iraqi people, to increase the food ration and to restore medical facilities and agriculture. The Government of Iraq must accept this draft resolution so that the people of Iraq can get the help they so desperately need. If it does not, we know exactly who is to blame.

The President: (*interpretation from French*): I shall now make a statement in my capacity as representative of Gabon.

As we prepare to adopt the draft resolution that has been submitted for our consideration, I should like first of all to thank the sponsors for their efforts to produce the final text.

My delegation welcomes the consensus reached by the Council on the text of this draft resolution. In authorizing the export by Iraq of petroleum and petroleum products in sufficient quantities, the Council will help put an end to the suffering of the Iraqi people. Indeed, it is unacceptable that that people should continue to pay unjustly for the errors of its leaders. The serious humanitarian situation facing Iraq today would surely not have come about if in 1990 the leaders of that country had not taken the decision to attack a sovereign and peace-loving country, Kuwait. The justified sanctions that the Council had to adopt met the need to condemn firmly Iraqi aggression. I believe that the Council's appeal in paragraph 7 of the draft resolution deserves our full support. It appeals to all Member States to cooperate in

order to make it possible for urgently required humanitarian supplies to reach the Iraqi people as rapidly as possible.

We should furthermore welcome the fact that this draft resolution opens up the possibility of adjusting, if necessary, the amounts of petroleum and petroleum products exported for essential humanitarian needs.

My delegation hopes that the Iraqi authorities will take the full measure of the Security Council's desire to work for the improvement of the humanitarian situation in Iraq. It therefore encourages Iraq to cooperate fully in the implementation not only of the draft resolution before us, but also of all relevant Security Council resolutions to which Iraq is subject, for the sake of the well-being of its people.

I now resume my functions as President of the Council.

I shall now put to the vote the draft resolution contained in document S/1998/136.

A vote was taken by show of hands.

In favour:

Bahrain, Brazil, China, Costa Rica, France, Gabon, Gambia, Japan, Kenya, Portugal, Russian Federation, Slovenia, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

The President (*interpretation from French*): There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1153 (1998).

Before adjourning the meeting, with the Council's permission, I would like to express the hope that the Secretary-General's mission to Iraq will be crowned with success.

There are no further speakers on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The Security Council will remain seized of the matter.

The meeting rose at 4.35 p.m.

United Nations S/PV.3856

Security Council

Fifty-third Year

Provisional

3856th Meeting

Tuesday, 24 February 1998, 4.30 p.m.

New York

President:	Mr. Dangue Réwaka	(Gabon)
Members:	Bahrain	Mr. Buallay
	Brazil	Mr. Cordeiro
	China	Mr. Cui Tiankai
	Costa Rica	Mr. Berrocal Soto
	France	Mr. Teixeira
	Gambia	Mr. Sallah
	Japan	Mr. Konishi
	Kenya	Mr. Mahugu
	Portugal	Mr. Soares
	Russian Federation	Mr. Sergeev
	Slovenia	Mr. Türk
	Sweden	Mr. Lídén
	United Kingdom of Great Britain and Northern Ireland	Mr. Manley
	United States of America	Ms. Soderberg

Agenda

The situation in Tajikistan and along the Tajik-Afghan border

Progress report of the Secretary-General on the situation in Tajikistan (S/1998/113)

98-85075 (E)

This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one week of the date of publication*, to the Chief of the Verbatim Reporting Service, room C-178.

The meeting was called to order at 4.30 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Tajikistan and along the Tajik-Afghan border

Progress report of the Secretary-General on the situation in Tajikistan (S/1998/113)

The President (*interpretation from French*): I should like to inform the Council that I have received a letter from the representative of Tajikistan, in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Alimov (Tajikistan) took a seat at the Council table.

The President (*interpretation from French*): The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the progress report of the Secretary-General on the situation in Tajikistan, document S/1998/113.

Following consultations among members of the Security Council, I have been authorized to make the following statement on behalf of the Council:

"The Security Council has considered the progress report of the Secretary-General on the situation in Tajikistan of 10 February 1998 (S/1998/113), submitted pursuant to paragraph 12 of its resolution 1138 (1997) of 14 November 1997.

"The Security Council regrets that during the last three months work on the implementation of the General Agreement on the Establishment of Peace and National Accord in Tajikistan (S/1997/510) and the relevant activities of the Commission on National Reconciliation (CNR) have proceeded very slowly. It welcomes recent efforts made by the parties in order to fulfil their obligations. The Council calls upon them to intensify their efforts to implement fully the General Agreement, including the Protocol on military issues (S/1997/209, annex II). It also encourages the CNR to continue its efforts aimed at the institution of a broad dialogue among the various political forces as foreseen in the General Agreement.

"The Security Council commends the Special Representative of the Secretary-General and the personnel of the United Nations Mission of Observers in Tajikistan (UNMOT) for their work and encourages them to continue assisting the parties in the implementation of the General Agreement. It welcomes the results of the international donor conference in support of peace and reconciliation in Tajikistan convened by the Secretary-General in Vienna on 24 and 25 November 1997, and looks forward to the contribution of those results to consolidating the peace process in Tajikistan.

"The Security Council reiterates its concern that the security situation in some parts of Tajikistan remains precarious. It reminds both parties that the international community is ready to continue assisting in the implementation of the General Agreement as well as in humanitarian and rehabilitation programmes, but that its ability to do so and also the ability of UNMOT to carry out its tasks more effectively are linked to improvements in security conditions.

"The Security Council firmly condemns the hostage-taking of relief workers that took place in November 1997 and urges the parties to cooperate further in ensuring the security and freedom of movement of the personnel of the United Nations, the Collective Peacekeeping Forces of the Commonwealth of Independent States (the CIS Peacekeeping Forces) and other international personnel, and to take practical steps in this respect, such as those mentioned in paragraph 7 of the report of the Secretary-General.

"The Security Council welcomes the presidential decree establishing a joint security unit with the task of providing security, including armed escorts, for UNMOT personnel and calls upon the parties to make the unit operational as soon as

possible. It also welcomes the readiness of the CIS Peacekeeping Forces to arrange for the guarding of United Nations premises in Dushanbe, as mentioned in the report of the Secretary-General, and encourages UNMOT and the CIS Peacekeeping Forces to make the relevant detailed arrangements.

"The Security Council encourages the Secretary-General to continue the expansion of UNMOT to the strength authorized by its resolution 1138 (1997) as soon as the Secretary-General deems conditions appropriate."

This statement will be issued as a document of the Security Council under the symbol S/PRST/1998/4.

The Security Council has thus concluded the present stage of its consideration of the item on the agenda.

The meeting rose at 4.40 p.m.

United Nations S/PV.3857

Security Council

Fifty-third Year

Provisional

3857th Meeting

Thursday, 26 February 1998, 4.25 p.m.

New York

President:	Mr. Dangue Réwaka	(Gabon)
Members:	Bahrain	Mr. Buallay
	Brazil	Mr. Amorim
	China	Mr. Cui Tiankai
	Costa Rica	Mr. Berrocal Soto
	France	Mr. Teixeira da Silva
	Gambia	Mr. Sallah
	Japan	Mr. Owada
	Kenya	Mr. Mahugu
	Portugal	Mr. Soares
	Russian Federation	Mr. Sergeev
	Slovenia	Mr. Türk
	Sweden	Mr. Dahlgren
	United Kingdom of Great Britain and Northern Ireland	Sir John Weston
	United States of America	Ms. Soderberg

Agenda

The situation in Sierra Leone

98-85082 (E)

This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one week of the date of publication*, to the Chief of the Verbatim Reporting Service, room C-178.

The meeting was called to order at 4.25 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Sierra Leone

The President (*interpretation from French*): I should like to inform the Council that I have received a letter from the representative of Sierra Leone, in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Jonah (Sierra Leone) took a seat at the Council table.

The President (*interpretation from French*): The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

I should like to draw the attention of the members of the Council to document S/1998/155, which contains the text of a letter dated 20 February 1998 from the Secretary-General addressed to the President of the Security Council.

Following consultations among members of the Security Council, I have been authorized to make the following statement on behalf of the Council:

"The Security Council recalls its resolution 1132 (1997) of 8 October 1997, and the statements of its President of 27 May 1997 (S/PRST/1997/29), 11 July 1997 (S/PRST/1997/36) and 6 August 1997 (S/PRST/1997/42), following the military *coup d'état* in Sierra Leone on 25 May 1997. It expresses its deep regret at the violence, loss of life and property and immense suffering undergone by the people of Sierra Leone since the coup. It remains gravely concerned at the continued violence in the country and calls for an urgent end to the fighting.

"The Security Council welcomes the fact that the rule of the military junta has been brought to an end, and stresses the imperative need for the immediate restoration of the democratically elected Government of President Tejan Kabbah and a return to constitutional order, in accordance with paragraph 1 of its resolution 1132 (1997).

"The Security Council encourages the earliest possible return to Freetown by President Kabbah and looks forward to his re-establishing a functioning and autonomous government in the country.

"The Security Council expresses its readiness to terminate the measures imposed by paragraphs 5 and 6 of its resolution 1132 (1997) as soon as the conditions referred to in paragraph 1 of that resolution have been fulfilled.

"The Security Council commends the important role that the Economic Community of West African States (ECOWAS) has continued to play towards the peaceful resolution of this crisis. The Security Council encourages the Military Observer Group of ECOWAS (ECOMOG) to proceed in its efforts to foster peace and stability in Sierra Leone, in accordance with relevant provisions of the Charter of the United Nations. It underlines the need for close cooperation between the legitimate Government of Sierra Leone, ECOWAS, and in particular its Committee of Five Foreign Ministers on Sierra Leone, ECOMOG commanders, the Special Envoy of the Secretary-General and his staff, United Nations agencies and relevant international organizations in their work, and specifically on the development of a plan for the disarmament, demobilization and reintegration into civilian life of all combatants in Sierra Leone. In this context, it supports the intention of the Secretary-General, subject to security conditions on the ground, to take rapid steps towards the reopening of the United Nations Liaison Office in Freetown in order to support the activities of his Special Envoy and in particular to assist national reconciliation and political dialogue.

"The Security Council expresses the view that the Conakry Agreement (S/1997/824, Annexes I and II) and the Abidjan Agreement (S/1996/1034) provide important elements for a framework for peace, stability and national reconciliation in Sierra Leone. It calls upon all parties in Sierra Leone to work towards these objectives through peaceful

means and political dialogue. In this regard, it condemns all reprisal killings and related violence in Sierra Leone and calls for an immediate end to such acts.

"The Security Council looks forward to detailed proposals by the Secretary-General concerning the role of the United Nations and its future presence in Sierra Leone. It requests the Secretary-General to establish a Trust Fund to support such activities and calls on all Member States to make early contributions to it.

"The Security Council welcomes the interim report of the Inter-Agency Assessment Mission to Sierra Leone of 10 February 1998 (S/1998/155) and commends those Member States and international organizations who have provided urgent humanitarian assistance to Sierra Leone. It remains deeply concerned about the serious and fragile humanitarian situation in the country, and calls upon all States and international organizations to provide further urgent assistance to Sierra Leone and neighbouring countries affected by the crisis. It calls on ECOMOG and all those concerned to ensure safe and unrestricted access to those in need.

"The Security Council expresses its concern about the safety of all humanitarian personnel in Sierra Leone, and condemns the taking of hostages by former members of the deposed junta. It calls for the immediate release of all international personnel and others who have been detained or held hostage. It commends ECOMOG for its efforts to liberate those individuals being held against their will.

"The Security Council will remain seized of this matter."

This statement will be issued as a document of the Security Council under the symbol S/PRST/1998/5.

The Security Council has thus concluded the present stage of its consideration of the item on the agenda.

The Security Council will remain seized of the matter.

The meeting rose at 4.40 p.m.

United Nations S/PV.3858

Security Council

Fifty-third Year

Provisional

3858th Meeting

Monday, 2 March 1998, 6.40 p.m.

New York

President:	Mr. Sedat Jobe	(Gambia)
Members:	Bahrain	Mr. Buallay
	Brazil	Mr. Amorim
	China	Mr. Qin Huasun
	Costa Rica	Mr. Berrocal Soto
	France	Mr. Dejammet
	Gabon	Mr. Dangue Réwaka
	Japan	Mr. Owada
	Kenya	Mr. Mahugu
	Portugal	Mr. Monteiro
	Russian Federation	Mr. Lavrov
	Slovenia	Mr. Türk
	Sweden	Mr. Dahlgren
	United Kingdom of Great Britain and Northern Ireland	Sir John Weston
	United States of America	Mr. Richardson

Agenda

The situation between Iraq and Kuwait

Letter dated 25 February 1998 from the Secretary-General addressed to the President of the Security Council (S/1998/166)

98-85088 (E)

This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one week of the date of publication*, to the Chief of the Verbatim Reporting Service, room C-178.

The meeting was called to order at 6.40 p.m.

Expression of thanks to the retiring President

The President: As this is the first meeting of the Security Council for the month of March, I should like to take this opportunity to pay tribute, on behalf of the Council, to His Excellency Mr. Denis Dangue Réwaka, Permanent Representative of Gabon to the United Nations, for his service as President of the Security Council for the month of February 1998. I am sure I speak for all members of the Security Council in expressing deep appreciation to Ambassador Dangue Réwaka for the great diplomatic skill with which he conducted the Council's business last month.

Adoption of the agenda

The agenda was adopted.

The situation between Iraq and Kuwait

Letter dated 25 February 1998 from the Secretary-General addressed to the President of the Security Council (S/1998/166)

The President: I should like to inform the Council that I have received letters from the representatives of Argentina, Malaysia, Mexico and Pakistan in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Petrella (Argentina), Mr. Hasmy (Malaysia), Mr. Tello (Mexico) and Mr. Kamal (Pakistan) took the seats reserved for them at the side of the Council Chamber.

The President: The Security Council will now begin its consideration of the item on the agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them a letter dated 25 February 1998 from the Secretary-General addressed to the President of the Security Council, document S/1998/166. Members of the Council also have before them document S/1998/175, which contains the text of a draft resolution submitted by Japan and the United Kingdom of Great Britain and Northern Ireland.

I now give the floor to the Secretary-General.

The Secretary-General: I wish to thank and commend the members of the Security Council for the action they are about to take in relation to the agreement that I secured last week from the Government of Iraq. If respected, if honoured, and if sustained, this agreement could constitute one of the United Nations most important steps in addressing the consequences of Iraq's invasion of Kuwait seven years ago.

I should like to take this opportunity to make clear to the entire international community the nature, the demands and the promise of this agreement.

I went to Baghdad with the full authorization of all members of the Security Council, in search of a peaceful solution to the crisis. I went to fulfil my constitutional obligation under the United Nations Charter and my commitment to the General Assembly at the commencement of my term — a sacred, moral obligation and commitment to act, any time, anywhere, without seeking or accepting instructions from any Government, whenever that action may be helpful in reducing a grave threat to international peace and security.

No one can doubt or dispute that Iraq's refusal to honour its commitments under Security Council resolutions regarding its weapons of mass destruction constituted such a threat. That threat has now been averted.

The mandate of the Security Council has been reaffirmed. The full and unlimited access of United Nations inspectors to any and all sites has been restored. The authority of the Executive Chairman of the United Nations Special Commission (UNSCOM) has been acknowledged and strengthened. Whether the threat to international peace and security has been averted for all time is now in the hands of the Iraqi leadership. It is now for them to comply in practice with what they have signed on paper.

I am under no illusions about the inherent value of this or any other agreement. Commitments honoured are the only commitments that count. Indeed, this agreement, and today's Security Council resolution, will merely be

empty words unless both parties now implement it fully, fairly, and without delay.

For our part, the United Nations stands ready for that implementation. We shall continue to fulfil our long-standing obligation to act with respect for the sovereignty and dignity of every member of the United Nations. We shall continue to strive to improve in every way the cooperation and effectiveness of every United Nations agency. That includes UNSCOM, which, I am proud to repeat, has already destroyed more weapons of mass destruction in Iraq than did the entire Gulf War, and which under this agreement remains in full operational control of the inspection process.

For its part, the Government of Iraq must now fulfil, without obstruction or delay, the continuing obligations that it reaffirmed last week at the very highest level. That means accepting all Security Council resolutions; cooperating fully with United Nations inspection teams; and according immediate, unconditional and unrestricted access to those teams to every area, facility, piece of equipment, individual and means of transportation. Those areas include the eight sites delineated as presidential sites where members of UNSCOM and the International Atomic Energy Agency will be joined by senior diplomats whom I will appoint.

Iraq's complete fulfilment of these obligations is the one and only aim of this agreement. Nothing more and nothing less will make possible the completion of the United Nations-mandated disarmament process and thus speed the lifting of sanctions in accordance with the provisions of Security Council resolutions. With today's Council resolution, however, the Government of Iraq fully understands that if this effort to ensure compliance through negotiation is obstructed, by evasion or deception, as were previous efforts, diplomacy may not have a second chance. No promise of peace and no policy of patience can be without limits.

This agreement tests as never before the will of the Iraqi leadership to keep its word. But it also serves as a call for this union of nations to look to the future, beyond the horizon and to the time when the disarmament process in Iraq has been completed.

All of us can agree that sanctions have added greatly to the Iraqi people's suffering; that the expansion of the oil-for-food programme will reduce that suffering without diluting the disarmament regime; and that someday, sooner or later — and we pray sooner — a fully disarmed and peaceable Iraq would be able to rejoin the family of nations. The United Nations, founded even before the close of the Second World War, over 50 years ago, has an inherent obligation to remember that even the bitterest of enmities among nations do not last for ever. It is therefore not too early for us to think about reconciling peoples once their Governments are at peace.

The agreement reached in Baghdad was neither a victory nor a defeat for any one person, nation or group of nations. Certainly the United Nations and the world community lost nothing, gave away nothing and conceded nothing of substance. But by halting, at least for now, the renewal of military hostilities in the Gulf, it was a victory for peace, for reason and for the resolution of conflict by diplomacy. It underscored, however, that if diplomacy is to succeed, it must be backed both by force and by fairness.

The agreement was also a reminder to the entire world of why this Organization was established in the first place: to prevent the outbreak of unnecessary conflict when the will of the international community can be achieved through diplomacy; to seek and find international solutions to international problems; to obtain respect for international law and agreements from a recalcitrant party without destroying for ever that party's dignity and willingness to cooperate; to secure, in this case, through on-site inspections and negotiations, the assured destruction of weapons of mass destruction that aerial bombardment can never achieve.

If this agreement is fully implemented and leads over time to a new day in the Gulf; if this exercise in diplomacy, backed by firmness, fairness and force, stands the test of time, it will serve as an enduring and invaluable precedent for the United Nations and the world community.

If, ultimately, we have learned the right lessons of this crisis, then this planet's age-old prayer for enduring peace with justice may be within our reach. It was that prayer, from people of every faith and every frontier, that sustained me on my journey for peace in Baghdad. I pledge today, before this Council and the world, to strive, to seek, to find and not to yield in the fulfilment of my duty.

The President: It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote.

There being no objection, it is so decided.

I shall first call on those members of the Council who wish to make statements before the voting.

Sir John Weston (United Kingdom): Allow me first, Sir, to express on behalf of the United Kingdom our welcome, and our pleasure in seeing you preside over this important meeting today.

Seven years ago this Council established the United Nations Special Commission to destroy or render harmless Iraq's weapons of mass destruction as an integral part of the conditions for the ceasefire which ended the Gulf War. The fact that the Executive Chairman of the Special Commission and his staff, for all their hard work and professionalism, have still not completed their task is the direct result of Iraqi deceit, obstruction and concealment. The crisis which led the Secretary-General to fly to Baghdad in a last-ditch effort to find a diplomatic solution is just the latest and the most serious in a series of Iraqi provocations.

The Secretary-General deserves great credit for what he achieved in Baghdad. As the British Prime Minister said in the British Parliament on the day the Secretary-General returned to New York,

> "I am delighted that Kofi Annan, for whom I have the greatest respect and admiration, has succeeded in this mission and has brought back a signed agreement".

But, as the Secretary-General has himself acknowledged — and has indeed repeated this evening — this was not a success for diplomacy alone but a success for diplomacy firmly backed by the willingness to use force if diplomacy should fail. Does anyone seriously imagine that the same result would have been obtained without this?

Welcome though the agreement is, it is by itself not enough. Whether this crisis is over and the Special Commission is able to complete its work depends on whether the Iraqi regime now implements in practice what it has signed on paper. We are not prepared to see a repeat of the Iraqi behaviour which led to the present crisis. It is for this reason that the United Kingdom, with the able and welcome additional sponsorship of Japan, proposed and sponsored the draft resolution on which the Council is about to vote.

The draft resolution is short and to the point. It sends two important messages: first, that the Security Council is giving its full support to the Secretary-General and to the Memorandum of Understanding which makes clear that Iraq is bound by all the relevant resolutions and is obliged to provide immediate, unconditional and unrestricted access to the Special Commission anywhere in Iraq, not just in the eight so-called presidential sites which have up to now been the pretext for so much delay and obstruction.

The second message is that the Iraqi regime has a choice. If it fulfils its commitments under the Memorandum of Understanding and complies with its obligations under the relevant Security Council resolutions, the way will be open for the lifting of sanctions. There should be a time, to which the beleaguered Iraqi people can look forward, when Iraq is able to return to the respectable company of nations. If, on the other hand, Iraq fails to comply, continues to obstruct the Special Commission's work and fails to honour the agreement it has signed with the Secretary-General, the draft resolution is again absolutely clear: this will not be tolerated. The Council is determined that any violation will result in the severest consequences. This is, at the very least, a statement of the facts which should by now be self-evident, as I explained in greater detail during the Council's earlier consultations. It is a statement of the facts, but it bears solemnly repeating in this draft resolution, since there are none so blind as those who will not see. If the Iraqi regime doubts the will of the international community to make good on that warning, it will, not for the first time, be making a grave mistake.

There is a great need at such moments to face up with courage and intellectual honesty to unpalatable truths. Regional security, the future of non-proliferation under international auspices, and the authority of the United Nations and its Secretary-General are all involved, and are all at stake, in our collective efforts to get the case of Iraq right. The sponsors draw encouragement from the Council's unity in backing the Secretary-General. Iraq must draw the lesson.

The President: I thank the representative of the United Kingdom for the kind words he addressed to me.

Mr. Berrocal Soto (Costa Rica) (*interpretation from Spanish*): First of all, Sir, let me say how pleased my delegation is to see you presiding over the work of the Council today.

It has not been easy to arrive at a consensus text. My country welcomes the fact that, after reviewing several versions, the Security Council is now in a position to vote on a draft resolution that, in essence, accents three basic ideas. First, it recognizes the success of the diplomatic initiative undertaken by the Secretary-General, Mr. Kofi Annan, and unreservedly endorses the Memorandum of Understanding signed by the Secretary-General and by the Government of Iraq on 23 February 1998.

Secondly, it reflects the vital need to send a clear and unequivocal message to the Baghdad regime concerning the very severe consequences that the Security Council is determined to consider and adopt under Chapter VII of the Charter in the event that Iraq fails to comply with the terms of the Memorandum of Understanding and the relevant Security Council resolutions, especially resolution 687 (1991) of 3 April 1991.

Finally, it sets out the key concept of international legality and the primacy of the provisions of the Charter over any political considerations.

With respect to the first point, as early as 6 February my country urged the Secretary-General in writing to use his good offices and travel to Baghdad and negotiate with the Iraqi authorities to reach a diplomatic solution to this crisis. We unreservedly supported Mr. Annan's mission and were against laying down parameters or terms of reference. We said that the Secretary-General should simply travel to Iraq and take action without any parameters or terms of reference other than those set out in the Charter of the United Nations. That was what the Security Council decided; it was proper both legally and politically.

After listening to the views of all members of the Security Council, the Secretary-General travelled to Iraq and secured the signing of a Memorandum of Understanding that fully and without cause for objection conforms to the position of Costa Rica. The same reaction has been expressed by all the other members of the Security Council.

Nonetheless, we stated that in our view — and while we acknowledged the position of the Legal Counsel on the binding nature of the document under international law — the Memorandum of Understanding ought to be formally endorsed by the Security Council in order to make all its terms consistent with previous relevant resolutions and with that which is established by Chapter VII of the Charter, with regard to actions "with respect to threats to the peace, breaches of the peace, and acts of aggression", as the sole and inalienable prerogative of the Security Council. Thus, my country considers that this endorsement of the Memorandum of Understanding is not only an appropriate political decision that we endorse, but is also a required under international law.

Given this essential element, Costa Rica subscribes with no reservations of any kind to the Security Council's clear and unequivocal message to Iraq on the grave and severe consequences that would ensue in the event of failure to abide by the agreed terms. Endorsing the Memorandum of Understanding and bringing it into the legal framework authorized by Chapter VII of the Charter leaves no political or legal doubt whatsoever about the seriousness and gravity of this warning by the Security Council.

The draft resolution does not prejudge the actions of the Security Council. It simply describes the scope of its competence under the Charter and warns of the consequences of a failure by the Government of Iraq to comply — and does so in the precise terms of the prerogatives and competences set out in Chapter VII of the Charter.

In my country's view, these prerogatives and legal competences are, in accordance with the Charter, exclusively of the Security Council and cannot be delegated by it. This is what the United Nations Charter States. This is what all of us as States Members have signed and ratified. These are the terms that bind Costa Rica and the other 184 Members of the United Nations, without exception, be it in the case of Iraq or in any other case in which the Security Council is called upon to decide between peace and war.

For this reason my country is extremely gratified that we finally have before us a text in which this legality and these essential principles of international law are safeguarded and preserved. Thus, we should all sincerely congratulate ourselves.

With all these key aspects resolved — and convinced that the depth and vigour of the discussions in informal consultations during these last few days has strengthened the institution of the United Nations and the international legality represented by the Charter — my delegation will vote in favour of this draft resolution.

The President: I thank the representative of Costa Rica for his kind words addressed to me.

Mr. Amorim (Brazil): Sir, let me first congratulate your country, Gambia, on its assumption of the presidency of the Security Council. Your presence — the presence of a Minister — illustrates the importance your Government attributes to the United Nations. I also want to second your words about the excellent presidency of Ambassador Dangue Réwaka of Gabon during the past month.

Less than a fortnight ago, as the crisis over Iraq's non-compliance with its obligations developed at full speed, the Middle East and the Gulf stood on the brink of a conflict that, as Secretary-General Kofi Annan correctly stated, could have had unpredictable consequences.

Around the world there was a mood of sombre apprehension as we contemplated the multiple scenarios that could have developed and the effects that some of the options could have entailed: the further deterioration of the critical humanitarian situation in Iraq itself; a wave of political and social unrest in the region; and, as the direct result of a conflict, the withdrawal of United Nations Special Commission (UNSCOM) and of United Nations humanitarian personnel from that country.

These developments, depending on the circumstances, might have placed a multilateral system that is still learning to cope with the challenges of the post-cold-war era under a heavy strain.

In view of such dire prospects, the Security Council, once again faced with the challenge of enforcing its own resolutions, wisely encouraged the Secretary-General to undertake a personal mission of good offices to Baghdad.

Brazil had already sent such encouragement in the form of a letter addressed by Foreign Minister Luiz Felipe Lampreia to the Secretary-General. At the informal consultations of the members of the Security Council, we advised the Secretary-General — and in his mind he had already decided to act in this way — to be firm in substance and flexible in form. We quoted in that connection the Latin adage, "*Suaviter in modum, fortiter in re*".

The Brazilian authorities also signalled directly to the Government of Iraq, in clear terms, that it should do whatever was required to provide guarantees of compliance with Security Council resolutions and thus ensure the success of the Secretary-General's mission.

Thanks to the admirable mix of firmness, patience and courage that is characteristic of his personality, Mr. Kofi Annan succeeded in a mission that sceptics had considered doomed from the start.

The Memorandum of Understanding of 23 February was negotiated with the Government of Iraq, including, at the most critical moment of the talks, its Head of State. It is a legally binding agreement that, among other elements that were essential to the diplomatic solution of the crisis, formally reconfirms the acceptance by Iraq of all pertinent resolutions of the Security Council; reiterates Iraq's undertaking to fully cooperate with UNSCOM and the International Atomic Energy Agency (IAEA) and grants to UNSCOM, its new special group and the IAEA, immediate, unconditional and unrestricted access to all sites in Iraq, including, in accordance with specific procedures now being developed, the eight presidential sites.

Upon receiving notice of the Memorandum, the Government of Brazil expressed the hope that a peaceful and lasting solution for the crisis between Iraq and the Security Council would now be feasible. On their part, the States members of the Southern Cone Common Market (MERCOSUR) — Argentina, Brazil, Paraguay and Uruguay — along with Bolivia and Chile announced in a joint statement their expectation that the solution to the crisis will ensure a durable and stable peace in the region. The President of Brazil had the opportunity to express personally to the Secretary-General our recognition of what was achieved in Baghdad.

Of course, the hard task of implementing the Memorandum and verifying the elimination of Iraq's programmes for weapons of mass destruction still lies ahead. But it is our conviction that the mission of the Secretary-General, together with his determination — today reaffirmed — to keep this matter under his close personal supervision from now on, provides the Security Council with a fair chance to put the problem of the relations between Iraq and the United Nations on a more stable foundation.

We believe that, on the basis of future Iraqi compliance with the Memorandum, the conditions will established so that the cyclic pattern of crisis in relation to Iraq can be left behind. The Government of Brazil considers that the Memorandum provides the basis for a decision by the Security Council to ensure that Iraq strictly complies with its resolutions, in accordance with international law and the purposes and principles of the United Nations Charter. The draft resolution that the Council will be adopting today does just that.

Let us be clear here: since 1990-91, faced with the situation that originated from the invasion of Kuwait by Iraq, the United Nations, and the Security Council on its behalf, have taken the responsibility to determine the measures necessary to maintain and restore international peace and security, under Chapter VII of the Charter. Accordingly, at the end of the Gulf War, in which an enforcement action took place under the authority of resolution 678 (1990), the Security Council did not limit itself to taking note of a ceasefire. Rather, in paragraph 33 of resolution 687 (1991), the Security Council declared that

> "upon official notification by Iraq ... of its acceptance of the [relevant] provisions, a formal ceasefire is effective".

Not only a cessation of hostilities, but — the difference is crucial — a formal ceasefire.

Furthermore, in paragraph 34 — the very last one — of resolution 687 (1991), the Security Council did not limit itself to the ritual formula, "decides to remain seized of the matter". It went beyond that and stated its decision

> "to take such further steps as may be required for the implementation of the present resolution".

The conclusion we draw is that the question of the implementation of the conditions for the ceasefire with Iraq remains firmly under the wing, so to speak, of the United Nations and the Security Council. Only the Security Council has the authority to determine if, when and under what conditions the formal ceasefire it declared on 3 April 1991 holds or not.

Since the beginning of the informal consultations on this draft resolution, we were assured by its sponsors that it was not their intention to imply any automaticity in the authorization of the use of force in case of a possible violation by Iraq. After the changes made to the text of the draft resolution — in particular the simplification of the second preambular paragraph and the new formulation for operative paragraph 5, which are in line with resolution 687 (1991) — we are satisfied that nothing in its provisions delegates away the authority that belongs to the Security Council under the Charter and in accordance with its own resolutions. During the discussions on the draft resolution, the Brazilian delegation was also guided by the need to ensure the unity of the Security Council and sought to make its contribution to this end.

For these reasons, we will cast our vote in favour of this draft.

The President: I thank the representative of Brazil for his kind words addressed to me.

Mr. Buallay (Bahrain) *(interpretation for Arabic)*: My delegation would like to express its delight, Sir, at seeing you presiding at this important meeting of the Security Council. My delegation would also like to express its deep appreciation to the Secretary-General for his efforts to contain the crisis and to achieve positive results for all the parties concerned. We have followed his efforts all along, from his mission to Baghdad to the debate on the current Security Council draft resolution.

Today we stand at a historic juncture in terms of the relationship between Iraq and the Security Council, specifically, between Iraq, on the one hand, and the United Nations Special Commission established under Security Council resolution 687 (1991) and the International Atomic Energy Agency (IAEA) on the other. Until the day prior to 23 February 1998, the date of the signing of the Memorandum of Understanding between Iraq and the United Nations in Baghdad, the relationship between the two parties oscillated between continuity and breakdown. This had an adverse impact on UNSCOM's mission, by which it is entrusted with the elimination of weapons of mass destruction.

In point of fact, that oscillation in the relationship resulted in mistrust, and it brought work to a standstill. In turn, the situation has delayed the closing of files relating to those weapons. The original time-table for the elimination of weapons of mass destruction was less than six months; yet here we are, well into the seventh year, and the mandate has not been completed.

Under the circumstances, the Secretary-General undertook a visit to Baghdad and a Memorandum of Understanding was signed in order to allow UNSCOM to inspect all sites, at all times, with special consideration being given to eight presidential sites, while maintaining the dignity and sovereignty of Iraq. On the other hand, the Security Council adopted its resolution 1153 (1998) to increase oil exports under the oil-for-food programme, and humanitarian supplies would increase three-fold in order to alleviate the suffering of the Iraqi people resulting from the sanctions regime. This increase, which coincided with the Secretary-General's visit to Baghdad, not only gave impetus to his mission but also sent a signal that the Council is keen on improving the living

conditions of the people of Iraq. My delegation hopes that Iraq will respond to the resolution to increase oil for food in a positive and expeditious manner. We look forward to the report of the technical group of experts as set out in paragraph 12 of of that resolution relating to determining the capacity of Iraq to pump oil worth $5 billion dollars every six months.

The litmus test now is to implement the provisions of the Memorandum of Understanding on the ground, and to create the appropriate conditions for its successful implementation. Therefore, the Council should help the Secretary-General, and we appreciate his efforts to speed up the implementation process.

Against this backdrop is the draft resolution to be adopted today. The Council members made an immense effort by way of preparation and support for the Secretary-General's visit to Baghdad. The Council also made an intensive effort to achieve consensus, as reflected in the text of this draft resolution. This represents a logical step emanating from the Memorandum of Understanding signed by the Secretary-General and the Deputy Prime Minister of Iraq on 23 February 1998.

The elements of this draft resolution are coherent and balanced in terms of order and phases of implementation. First, as regards the reference to preserving the sovereignty, independence and territorial integrity of Iraq, Kuwait and the neighbouring States, we particularly appreciate the Council's incorporation, as set forth in operative paragraph 5, of the Council's responsibility for securing peace and security in the area.

Secondly, the Council endorses the Memorandum of Understanding and looks forward to its early and full implementation.

Thirdly, the Secretary-General is requested to finalize the necessary procedures so that UNSCOM and the IAEA can carry out the mandate fully, within the presidential sites or other sites, as indicated in the Memorandum of Understanding. In this context, it is to be noted that the State of Bahrain contributes to the smooth implementation of these procedures by providing the operational headquarters for UNSCOM.

Fourthly, Iraq is requested to provide to UNSCOM and the IAEA full freedom of access to all sites without any conditions or restrictions, in order to ensure the full implementation of resolution 687 (1991).

Fifthly, the Council undertakes to consider the duration of the prohibitions under resolution 687 (1991). This is no less important than the other issues, such as the issue of Kuwaiti prisoners of war and prisoners of other nationalities and the question of property owned by the State of Kuwait.

The Council has made enormous efforts in order to maintain its unity, stature and authority during the crisis with Iraq. Also, the Council has made a conscious effort to steer away from military options that would have brought devastating effects on Iraq and the entire region. Therefore, a peaceful defusing of the crisis was not easy at all. Indeed, we would like to convince ourselves that a new page in dealing with Iraq has now been turned, thanks to this Council. On the other hand, Iraq, for its part, has to demonstrate good faith and cooperate with UNSCOM and the IAEA in both a serious and speedy manner, with a view to eliminating its weapons of mass destruction as a prelude to the lifting of sanctions and moving towards its own development and reconstruction, thus ensuring the well-being of the Iraqi people.

This moment is indeed a unique and historic one, as the Council sought and succeeded in securing a peaceful resolution of the current crisis. However, Iraq's behaviour from now on will define the future course of action. Hence, as the Council has endorsed the peaceful solution, we call upon Iraq to respond favourably to United Nations efforts, and we call upon the United Nations to encourage Iraq to pursue that course so that peace will prevail throughout the region and to stay away from the options that would pose danger to the entire region.

The State of Bahrain agrees to the draft resolution put to the Council, and we will vote in favour of it.

The President: I thank the representative of Bahrain for his kind words addressed to me.

Mr. Dahlgren (Sweden): Let me start by expressing our pleasure in seeing you preside over this important meeting of the Council.

In our view, the draft resolution on which we are about to vote contains four very important messages, each addressed in a separate paragraph.

First, the draft resolution endorses the Memorandum of Understanding signed by the Secretary-General and by the Deputy Prime Minister of Iraq. We all recall that the

Secretary-General undertook his important mission to Baghdad with the full support of the Security Council. In this draft resolution, it is made clear that the Council is also backing the outcome of his mission.

Secondly, the Security Council is determined to see the resolution implemented and will not tolerate a violation. The Council's message is firm and clear: a violation would have severest consequences for Iraq.

Thirdly, this draft resolution means that if Iraq complies with all its obligations under relevant resolutions, it will be possible for the Security Council to lift the sanctions, as stipulated in its resolution 687 (1991).

Fourthly — and very important for us — the Security Council's responsibility for international peace and security, as laid down in the Charter of the United Nations, must not be circumvented. The last paragraph of the draft resolution is an expression of the need to safeguard this responsibility. The Council will remain actively seized of the matter, and the Council will ensure implementation of this resolution.

In conclusion, in our view the United Nations means working together. And working together will lead to results.

Sweden will vote in favour of the draft resolution before us.

The President: I thank the representative of Sweden for his kind words addressed to me.

Mr. Dangue Réwaka (Gabon) (*interpretation from French*): First of all, I would like to thank you for the very kind words you addressed to me and to express the great pleasure I take in seeing you preside over our meeting. In addition, I would like to express our best wishes for success under your presidency.

I should like to reiterate our congratulations and appreciation to the Secretary-General, which the Gabonese authorities expressed to him upon his conclusion of the Memorandum of Understanding with the Government of Iraq on 23 February 1998. Indeed, this agreement has helped defuse a critical situation that threatened to darken the horizon of international relations.

Now, when the Security Council is about to adopt the draft resolution before it, I think it is useful to recall the importance of this meeting. For us this meeting is an opportunity to solemnly reaffirm the confidence the Security Council continues to have in the Secretary-General for the full implementation of the Memorandum of Understanding he signed with the Iraqi authorities.

My delegation strongly hopes that the Iraqi authorities will take advantage of the favourable climate thus created to translate the commitments undertake into deeds. We are convinced that Iraq's strict compliance with these commitments will enable the Security Council to consider in due course the possibility of lifting the sanctions that have so harshly stricken and punished the Iraqi people.

There is no reason to believe that the Iraqi Government, which has made a solemn commitment before the international community, will not keep its promises. We believe that if the Iraqi authorities failed to meet their obligations, the Security Council would draw its conclusions and would not hesitate to give an immediate and appropriate response.

In view of all these considerations, my delegation will vote in favour of the draft resolution.

The President: I thank the representative of Gabon for his kind words addressed to me.

Mr. Mahugu (Kenya): May I begin by saying how honoured we feel to have Mr. Momodou Lamin Sedat Jobe, Secretary of State for Foreign Affairs of the Gambia, presiding over this important meeting. We also recognize the presence of the Secretary-General among us this afternoon.

Today's meeting is for us a recognition by the Security Council of the tireless efforts of the Secretary-General, whose excellent diplomatic skills culminated in the Memorandum of Understanding we are formally endorsing today. My delegation was acutely aware of the difficult circumstances and extremely challenging international atmosphere in which the Secretary-General operated, and that is why his achievements are so profound. My Government issued a statement supporting the mission of the Secretary-General on the eve of his departure and another one upon his return endorsing the outcome of his mission. Indeed, the Chairman of the Organization of African Unity, President Robert Gabriel Mugabe, in a message to the Secretary-General stated,

"The agreement you reached with President Saddam Hussein, we all hope, will contribute significantly to the peaceful conclusion of the implementation of United Nations Security Council decisions on the issue. The success of your mission has brought relief and joy to all those who wish to ensure completion of the United Nations Special Commission's mandates and avoid further military confrontation in the Middle East region."

The text we are about to adopt reflects a joint effort to address the situation we are faced with. In that regard, we are appreciative of the work done, and the flexibility shown, by the delegations of the United Kingdom and Japan, the sponsors of the draft resolution, in accommodating the various views and positions.

The concerns of my delegation, which included in the first instance the firmest possible endorsement of the achievement of the Secretary-General, have been reflected in operative paragraph 1 of the current draft. To us, this is a sign of our full support and total confidence in his ability to implement the Memorandum of Understanding in the shortest possible time, and we are glad to note that the Secretary-General has already embarked on this exercise.

It is also our understanding that paragraph 3 recalls the commitment given by the Government of Iraq in the Memorandum of Understanding with respect to according immediate, unconditional and unrestricted access to the United Nations Special Commission (UNSCOM) and the International Atomic Energy Agency (IAEA) and strongly warns against any reneging on that undertaking, which would lead the Security Council to take further action in line with paragraph 5.

Our concern regarding paragraph 4, on the lifting of sanctions in accordance with paragraph 22 of Security Council resolution 687 (1991), has also been addressed by casting the paragraph in a more positive light, thus bringing it more into conformity with paragraphs 6 and 7 of the Memorandum of Understanding. Indeed, we are sensitive to the importance of this issue to the people of Iraq, and we believe it should be measured against the level of compliance by the Government of Iraq. In that connection, we hope that UNSCOM will expedite and complete the final phase of its work to enable the Council to reach an early agreement on the lifting of sanctions.

As we have continually stated, we expect the Government of Iraq to fulfil all its obligations under relevant resolutions and to cooperate fully with UNSCOM and IAEA. It is our fervent hope that following the signing of the Memorandum of Understanding there will be a new spirit of understanding that will facilitate the smooth conclusion of all outstanding issues fully, fairly and without delay, as the Secretary-General said.

Finally, we should like to place on record our conviction, based on assurances we have been given by the sponsors, that the draft resolution contains nothing that could open the door, in any eventuality, for any kind of action without the clear authority of the Security Council. When all is said and done, the primary responsibility for the maintenance of international peace and security remains with the Security Council.

We hope that dialogue and the use of diplomatic means will lead to constructive cooperation between the United Nations and Iraq. It is on the basis of the above understanding that my delegation will vote in favour of the draft resolution before us.

The President: I thank the representative of Kenya for his kind words addressed to me.

Mr. Owada (Japan): At the outset, Sir, I wish to offer the sincere congratulations of my delegation on the assumption by Gambia of the presidency for the month of March, as well as my hearty welcome to you, Mr. Foreign Minister, to this Council.

I wish also to offer the gratitude of my delegation to Ambassador Dangue Réwaka of Gabon for the exemplary manner in which he conducted the business of the Security Council for the month of February.

During recent weeks the Security Council and the international community have been engaged in intensive efforts to cope with the grave situation created as a result of Iraq's non-compliance with its obligations under relevant Security Council resolutions. In this regard, Japan wishes wholeheartedly to welcome the breakthrough brought about by the recent visit of the Secretary-General. Japan believes that the agreement the Secretary-General secured in Baghdad constitutes a determining step on the way to the solution of the crisis.

In the Memorandum of Understanding signed by the Secretary-General and the Deputy Prime Minister of Iraq on 23 February 1998, Iraq has reconfirmed its acceptance of all relevant Security Council resolutions and has undertaken to accord to the United Nations Special Commission (UNSCOM) and the International Atomic

Energy Agency (IAEA) immediate, unconditional and unrestricted access, in conformity with relevant Security Council resolutions.

This Memorandum of Understanding provides a framework for the full and unconditional inspection of all sites by UNSCOM, in conformity with all the relevant resolutions. May I express the sincere hope that the finalization of the procedures for presidential sites will be worked out and reported to the Council as soon as possible, and that UNSCOM inspections, with immediate, unconditional and unrestricted access, will be carried out in practice.

What is most essential with regard to this whole achievement secured by the Secretary-General is that all the obligations contained in this Memorandum of Understanding be implemented fully. In this context, the Security Council has an extremely important role to play — to declare its own position, in the light of its primary responsibility for the maintenance of peace and security, on the basis of the Memorandum of Understanding which has been worked out by the Secretary-General in the exercise of his own competence under the Charter of the United Nations.

It is for this reason that today the Council, for its part, is taking action on this draft resolution. We the members of the Security Council are happy to make the position of the Council clear in this draft resolution by commending the initiative of the Secretary-General, by endorsing the Memorandum of Understanding and by looking forward to its early and full implementation.

As one of the sponsors of this draft resolution, Japan wishes to register its position that the purport of the draft is threefold. First, in endorsing the effort made by the Secretary-General with the Iraqi authorities, it is the intention of the Security Council to declare its united position: that it is giving its full support to the achievement of the Secretary-General. What is truly important now is to see the obligations assumed on paper in the Memorandum of Understanding implemented fully in practice.

Secondly, the purport of this draft resolution, and in particular its paragraph 3, is to stress that compliance by the Government of Iraq with its obligations, repeated again in the Memorandum of Understanding, to accord immediate, unconditional and unrestricted access to the Special Commission and the IAEA is essential for the implementation of resolution 687 (1991). Together with it, the Council wishes to register its firm resolve that violation in this regard would have severest consequences for Iraq.

In this context, I wish to confirm what I have been making clear through the consultations: that it is the understanding of the sponsors that this paragraph is not meant to address the issue of so-called automaticity. This point should be clear from the purport of paragraph 3, as I have explained, as well as from what this paragraph so clearly states.

I wish also to draw the attention of the Council to paragraph 5 of the draft resolution, which states that the Council remains actively seized of the matter, in order to ensure implementation of this resolution, and to secure peace and security in the area. The draft resolution simply is not designed to prejudge the issues of the future.

Thirdly, on the question of the prohibitions referred to in resolution 687 (1991), the resolution makes abundantly clear the intention of the Council to act in accordance with what is prescribed in that resolution. In this regard, it is the sincere desire of Japan that the day will come as soon as possible when the sanctions currently applied to Iraq will be lifted through Iraq's full compliance with its obligations and other relevant resolutions, so that Iraq can come back to claim its worthy place within the international community.

As one of the sponsors of this draft resolution, working in cooperation with its most competent partner, the United Kingdom, Japan has spared no effort in trying to work out a fair and dignified draft resolution that can demonstrate the unified will of all the members of the Security Council, in full consciousness of the heavy responsibility incumbent upon it at this time of crisis. Japan believes that we in the Security Council have succeeded in achieving a united voice to seek the full and unconditional cooperation of Iraq with UNSCOM thanks to the very positive and constructive cooperation of all of its members.

Japan wishes to place on record its deep gratitude to all its fellow Council members for their cooperation in making this possible. We have succeeded in demonstrating the unity of the Council on this most important question relating to weapons of mass destruction, which affect peace and stability in the region.

In the light of all these factors, Japan will vote in favour of this draft resolution.

The President: I thank the representative of Japan for the kind words he addressed to me.

Mr. Türk (Slovenia): Sir, let me congratulate your country, Gambia, on its assumption of the presidency of the Security Council for the month of March. We are particularly honoured, Mr. Minister, by your presence today. We wish the Permanent Representative of Gambia, Ambassador Sallah, success in his work as President, as we are grateful to the President for the preceding month, Ambassador Dangue Réwaka of Gabon, for the excellent work done.

Today, the Security Council is about to take action which has been awaited since the Secretary-General returned from Baghdad last week. By the draft resolution submitted for action, the Council endorses the Memorandum of Understanding signed by the Secretary-General and the Deputy Prime Minister of Iraq on 23 February 1998.

We believe that this endorsement is appropriate and helpful. It reinforces the agreement reached in Baghdad, an agreement which in our view is fair, balanced and in conformity with resolution 687 (1991) and other Security Council resolutions.

By commending the initiative by the Secretary-General and by endorsing the Memorandum, the Security Council is doing its part in the efforts to secure compliance by the Government of Iraq with its obligations.

The implementation of the Memorandum of Understanding should begin without delay. We are heartened to learn that progress is being made in the preparations for the additional procedures for the inspection of presidential sites. The implementation process will be closely monitored by the Council. The message of today's draft resolution is clear: full compliance by the Government of Iraq with its obligations, reaffirmed in the Memorandum of Understanding, is the way to implement Security Council resolution 687 (1991). On the other hand, any violation of these obligations would have extremely negative consequences. It would destroy everything that has been achieved through the difficult mission of the Secretary-General. It would certainly prompt the Council to consider other measures to ensure compliance.

In this context, we wish to emphasize that firmness and resolve to use means other than diplomacy were of critical importance for the mission of the Secretary-General. Furthermore, the unity of the Security Council was, and continues to be, of paramount importance.

It is our hope that the Government of Iraq will not forfeit the unique opportunity that was provided by the conclusion of the Memorandum of Understanding. Efforts by Iraq to fully implement that Memorandum are essential for the United Nations Special Commission (UNSCOM) and International Atomic Energy Agency (IAEA) inspectors to continue and finish their work. That would eventually enable the Security Council to consider the lifting of the prohibitions referred to in resolution 687 (1991).

The draft before us reaffirms the commitment of all United Nations Member States to the sovereignty, territorial integrity and political independence of Iraq, Kuwait and the neighbouring States. It is important that we keep in mind the needs and the legitimate expectations of these States, in particular those of Kuwait, which has suffered the most seriously. It is appropriate to recall today that some issues concerning Kuwait, have not yet been resolved, including the issue of missing persons and prisoners. The Security Council remains aware of these issues and will have to address them on another occasion.

Today the Security Council is taking decisions at a time which, in many ways, is a defining moment for the United Nations. This is the time when the potential of diplomacy is being reaffirmed. The role of the Secretary-General has been again reconfirmed as an invaluable asset of the Organization and of the international community in general. This is also a moment when the Security Council has to demonstrate its ability to act with unity, swiftness and determination. The adoption of this draft resolution today will be a positive sign in this regard. We wish especially to commend the delegations of Japan and the United Kingdom for their efforts in preparing this draft resolution before us.

It is important that in the process of implementation of this draft resolution the Security Council should show the same resolve and ability to act as the situation may require. The responsibilities of the Security Council under the Charter, and corresponding obligations, ought to be clearly borne in mind. In operative paragraph 5 of the draft resolution before us, the Security Council will decide, in accordance with its responsibility under the

Charter, to remain actively seized of the matter in order to ensure implementation of this resolution, and to secure peace and security in the area. We expect the Council to continuously receive information on the situation and to act as necessary in accordance with its powers.

Slovenia will vote in favour of this draft resolution.

The President: I thank the representative of Slovenia for his kind words addressed to me.

Mr. Monteiro (Portugal): My delegation is pleased to see you, Sir, such a distinguished representative of your country, presiding over this meeting. We could not have a better start for our work this month under Gambian leadership.

One week ago in Baghdad, the Secretary-General and the Deputy Prime Minister of Iraq signed a Memorandum of Understanding which offered new perspectives for ending the crisis between Iraq and the United Nations. As the Secretary-General underlined, this is not just any type of agreement: the Iraqi leadership is committed to this agreement at its highest level, since it was negotiated by Mr. Kofi Annan directly with President Saddam Hussein.

This remarkable diplomatic achievement averted war and immediately garnered the unanimous support of the members of the Council. The Council had encouraged the Secretary-General to go to Baghdad and try to achieve a diplomatic solution to the crisis in accordance with all relevant resolutions.

It is now incumbent upon the Council to do its part, by endorsing the agreement reached by the Secretary-General in Baghdad. The expression of the Council's unanimous support for the Secretary-General's démarche is clearly reflected in the draft resolution that we have before us, which my delegation supports. In this draft resolution, the Council commends the initiative of the Secretary-General and endorses the Memorandum of Understanding.

In welcoming this outcome, my delegation naturally expects that this Memorandum will be implemented as soon as possible. All sites in Iraq are now accessible to United Nations inspection. We now have a new opportunity to see that all relevant resolutions of the Security Council are finally fulfilled. We look forward to the rapid completion of the necessary procedures in order to allow United Nations Special Commission (UNSCOM) and the International Atomic Energy Agency (IAEA) to discharge their mandate.

The unity of the Council in adopting this draft resolution will send a strong and unambiguous signal to Baghdad. The implementation of the Memorandum of Understanding obviously requires Iraq's full cooperation. We trust that Iraq will not fail to live up to its commitments.

UNSCOM and IAEA have a task to complete on behalf of the Council, and we want them to be able to do it rapidly and efficiently. The objectives of this task — ensuring the inability of Iraq to use prohibited weapons of mass destruction — are clearly outlined in resolution 687 (1991). We should not forget that to achieve those objectives is to open the way to the lifting of the sanctions, which so dramatically affect the Iraqi people. Both these aspects are reaffirmed in the present draft resolution. In this context, the importance of the action taken by the Council the week before last in adopting resolution 1153 (1998), on the reinforcement of the humanitarian programme in Iraq, as recommended by the Secretary-General, should not be ignored.

We hope this message of unity from the Council will open a new era of cooperation between the Iraqi Government and the United Nations, since we genuinely want the Iraqi nation to regain as soon as possible its full stature within the international community and the Iraqi people to see an end to their suffering.

The President: I thank the representative of Portugal for his kind words addressed to me.

Mr. Qin Huasun (China) (*interpretation from Chinese*): The Chinese delegation wishes to join other delegations in welcoming you, Sir, to the presidency of the Security Council at this first meeting of the month.

Not long ago Secretary-General Kofi Annan, with the broad support of the international community, made a successful visit to Iraq and signed a Memorandum of Understanding with the Government of Iraq, thus defusing the weapons-inspection crisis. Peace-loving people all over the world were overjoyed and encouraged by this event. China greatly appreciates the wise decision made by the Secretary-General at the critical juncture between war and peace and supports his diplomatic efforts. We also view positively the flexibility and

wisdom demonstrated by the various parties in bringing about this successful result.

We believe that the Memorandum of Understanding has resolved the question of access for the United Nations Special Commission (UNSCOM) and at the same time responded to Iraq's legitimate concerns over sovereignty, dignity and security, in full accordance with the relevant Security Council resolutions. This is a major breakthrough for the inspection work of UNSCOM and will definitely help UNSCOM complete the task entrusted to it by the Security Council at an early date.

The situation in the Gulf region is complex and sensitive. If it is dealt with appropriately there will be peace. Any imprudence, however, may trigger a war, which is in no one's interest. Resolving peacefully the problems that have arisen during the inspection process is the general demand of the majority of the United Nations Member States and is in the fundamental interest of the people of the various countries in the Gulf region. The Security Council must bear this in mind while dealing with this major issue. China has always maintained that international disputes should be resolved through peaceful means in accordance with the United Nations Charter and the basic norms of international relations. We are not in favour of resorting to or threatening to use force, because this would not favour an appropriate solution to these problems. It would only cause heavy civilian casualties and possibly even more severe consequences.

The successful visit by the Secretary-General has once again proved that political and diplomatic efforts and patient dialogue are the only way to dispel mistrust and find an appropriate solution. We sincerely hope that under the present circumstances the parties concerned will create a favourable atmosphere for an early and comprehensive implementation of the Memorandum of Understanding and refrain from any action that might worsen the situation.

The draft resolution before us is intended to support the good offices of the Secretary-General and to endorse the Memorandum of Understanding. It also makes it clear that the Security Council will act to lift the sanctions as Iraq implements the resolution. That reflects our views, and the Chinese delegation will therefore join the consensus on the draft resolution before the Council.

I wish also to note that during the Council's many consultations the Chinese delegation repeatedly and unambiguously demanded that the draft resolution should contain no automatic authorization of the use of force against Iraq. This evening we listened very carefully to the explanations offered by the sponsors of the draft resolution, but these did not eliminate our misgivings about possible abuse of the draft resolution. I wish therefore to stress that the adoption of this draft resolution will in no way mean that the Security Council is automatically authorizing any State to use force against Iraq. The Council cannot and should not prejudge whether Iraq will violate its resolutions; even less should the Council predetermine the course of future action. The Security Council can make judgements and decisions only on the basis of prevailing circumstances.

It has been China's consistent position that Iraq must implement in full the relevant resolutions of the Security Council and must cooperate fully with the United Nations Special Commission (UNSCOM). At the same time, Iraq is a sovereign State, and its sovereignty, dignity and legitimate security concerns should also be respected.

The Security Council should make a timely and objective assessment of Iraq's implementation of its resolutions. UNSCOM has made considerable headway in its inspections and in the destruction of Iraq's weapons. We hope that, in accordance with the relevant Security Council resolutions and with the understanding reached with Iraq, UNSCOM will implement the proposals put forward at its emergency session and will complete its task of verification and the destruction of Iraq's weapons of mass destruction at an early date, so that steps can be taken to lift the sanctions against Iraq at the earliest possible date.

The President: I thank the representative of China for the kind words he addressed to me.

Mr. Dejammet (France) (*interpretation from French*): I wish first of all, Sir, to say how pleased and honoured we are to begin our deliberations this month under the guidance of the Minister for Foreign Affairs of the Gambia. I also wish to convey sincere congratulations to your predecessor, our friend the Permanent Representative of Gabon, and to his entire delegation.

France will vote in favour of the draft resolution before the Security Council, whose central purpose is to endorse the Memorandum of Understanding signed on 23 February by the Secretary-General, for the United Nations, and by the Deputy Prime Minister of Iraq, for Iraq. This draft resolution is not necessary either legally or politically to give effect to the Memorandum of

Understanding, which gained the assent of the Council on 24 February.

Nevertheless, in order to dispel any hint of interpretations of or reservations about the content of the 23 February Memorandum of Understanding, it was a good idea for the Council — on the initiative of the United Kingdom and Japan — to seek to confirm the authority of the Memorandum through a particularly forceful decision taken under Chapter VII of the Charter. The draft resolution upon which we shall be taking action is thus welcome and worthwhile.

The draft resolution before us meets what we view as the indispensable criteria: it is brief and it cleaves to the text of the Memorandum of Understanding, which it ratifies. It does not seek to rewrite it or to modify its scope.

While affirming its determination to ensure immediate and comprehensive respect for obligations under resolution 687 (1991), the Council reaffirms in the preambular part the commitment of all Member States to the sovereignty, territorial integrity and political independence of Iraq, Kuwait and the neighbouring States. There is a point to reaffirming that commitment at this time.

In the operative part, the Security Council quite rightly commends the initiative by the Secretary-General and endorses the Memorandum of Understanding. The Council places on record Iraq's commitment to accord immediate, unconditional and unrestricted access to the Special Commission and the International Atomic Energy Agency. But the Council also backs UNSCOM's commitment to respect the legitimate concerns of Iraq regarding national security, sovereignty and dignity.

The draft resolution requests the Secretary-General to report to the Security Council as soon as possible with regard to the procedures for presidential sites. This too is important, because the recent crisis concerned access to the presidential sites. Here the Council acknowledges the overriding competence of the Secretary-General.

One reason for this draft resolution — apart from its indispensable tribute to the Secretary-General — is to address a serious warning to Iraq about complying with its obligations, as well as to dispel any ambiguity about the duration of the sanctions. This dual objective is achieved in paragraphs 3, 4 and 5. I shall not dwell on those paragraphs; their meaning is clear to the reader. Our objective is, of course, to ensure respect for Council resolutions, including those relating to sanctions against Iraq. But it is also to underscore the prerogatives of the Security Council in a way that excludes any question of automaticity. Most of the preceding speakers made reference to this, and it was stressed quite firmly by the representative of Japan on behalf of the sponsors of the draft resolution; I thank him for that.

The Council is justified in debating certain measures because of their gravity. It is the Security Council that must evaluate the behaviour of a country, if necessary to determine any possible violations, and to take the appropriate decisions.

It is important that the Council should have met today to decide, unanimously and solemnly, that it will remain actively seized of the matter in conformity with its responsibilities under the Charter.

Today's meeting is taking place in the presence of the Secretary-General. We have passed through a time of serious crisis which it has been possible to settle peacefully. That peaceful outcome would have been impossible without the courageous action of the Secretary-General, without his determination, without his negotiating talents, without his firmness. France was happy to support him. But the best tribute we can pay him is to see to it that his work endures.

Nothing will be possible without constant vigilance, without strict respect by each and everyone for the Memorandum of Understanding and without also giving extensive and dispassionate thought to the lasting means to bring back peace and stability to the Gulf region and to the Middle East as a whole. For the neighbours of Iraq must not live in insecurity. Kuwait must regain confidence. The Middle East must regain peace with justice.

Nothing will be possible without the constant involvement of the Secretary-General in our work and in our deliberations.

The President: I thank the representative of France for his kind words addressed to me.

I shall now put to the vote the draft resolution contained in S/1998/175.

A vote was taken by show of hands.

In favour:

Bahrain, Brazil, China, Costa Rica, France, Gabon, Gambia, Japan, Kenya, Portugal, Russian Federation, Slovenia, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America

The President: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1154 (1998).

I shall now call on those members of the Council who wish to make statements following the voting.

Mr. Richardson (United States of America): Allow me to begin by welcoming you, Sir, to the presidency of the Security Council and to thank your predecessor, Ambassador Dangue Réwaka of Gabon, for his skillful guidance of the Council in February. The United States thanks the Secretary-General for his strong, clear speech.

The United States welcomes the Secretary-General's efforts to obtain Iraqi agreement to comply with its obligations. We are impressed that through his dedication and skill he was able to bring back the Memorandum of Understanding the Council has just endorsed. The Memorandum forcefully reiterates that Iraq must cooperate fully and unconditionally with the United Nations Special Commission (UNSCOM) and the International Atomic Energy Agency (IAEA). We are all deeply grateful to the Secretary-General for his courageous and diligent efforts. Through his diplomacy, backed by America's willingness to use force, he has achieved what could be, if implemented fully by Iraq, a breakthrough.

I also would like to thank my fellow Council members for their patience and spirit of cooperation. We should take some time to congratulate ourselves, because we've worked hard to reach unanimity on a solid text that we all can and will stand by — and that, if adhered to by Iraq, could lead to a resolution of this crisis.

The issue here is not the so-called eight presidential sites. The principle is access. The Secretary-General's mission to Baghdad has secured commitments from Iraq which, on paper, promise that Iraq will provide UNSCOM full, immediate and unrestricted access to all sites within Iraq. The Secretary-General's mission secured an Iraqi commitment to adhere to the terms of all relevant Security Council resolutions — not just on disarmament, but also on prisoners of war (POWs) and Kuwaiti property. And while we welcome the statements by Iraq, its commitments are mere words on paper. The proof is in the testing.

We are skeptical after six years of broken promises. Iraq has yet to live up to its word, or up to the demands made by the Security Council in its resolution.

Yet, we hope the Memorandum of Understanding, signed by the Iraqi Deputy Prime Minister and the Secretary-General, will mark an end to Iraq's policy of non-cooperation and confrontation and will lead to Iraq's full compliance with all relevant Security Council resolutions.

We look forward to receiving the Secretary-General's proposed procedures for the presidential sites, and we have full confidence that the guidelines will conform to all Council resolutions.

We have full faith in the United Nations Special Commission and its Executive Chairman. We will be watching UNSCOM's inspections to be sure that Iraq has provided full and unrestricted access to UNSCOM — access that Security Council resolutions demand and require.

The resolution that this Council has just adopted unanimously states this plainly yet eloquently. Iraq must comply with Security Council resolutions or else face the consequences of its actions. Any, repeat any, attempt by Iraq to provide less than immediate, unrestricted and unconditional access to any site will, as this resolution states, result in the severest consequences for Iraq.

This resolution also provides for a new beginning for Iraq to cooperate fully with UNSCOM and the IAEA. The Secretary-General's initiative offers us all new hope. But only Iraq has the choice, only Iraq holds the key. And that key is full and complete cooperation. Unless Iraq demonstrates that it is ready to rejoin the international community and abide by the rules of civilized behaviour, it can expect nothing but certain punishment and continued isolation. The choice, as I said, is Iraq's.

Mr. Lavrov (Russian Federation) (*interpretation from Russian*): First of all, allow me to express our deep satisfaction to today see you, Sir, in this Chamber serving as the President of the Security Council during the month when Gambia has taken on the responsibilities of the presidency. We also are grateful to your predecessor, from whom you have taken the baton of Africa in the work of the Security Council. We have all been very lucky to have been working this month and last

under the presidency of Africa, which has given the world many wise and thoughtful political leaders.

Russia has consistently been committed to a comprehensive implementation of the resolutions of the Security Council to settle the crisis in the Persian Gulf. We have completely supported the activities undertaken by the United Nations Special Commission and the International Atomic Energy Agency to carry out their mandates. We have unswervingly striven to bring about Iraq's complete fulfilment of its obligations under those resolutions. That is the only way that sanctions can be lifted. In this regard, to comply strictly with resolution 687 (1991), the first step will be to lift the oil embargo once all the Iraqi "disarmament dossier" issues have been dealt with and moved to the long-term-monitoring stage.

Thanks to the successful mission of the Secretary-General to Iraq, there exists a real opportunity to speed up the process of achieving a comprehensive settlement in the Persian Gulf. Moscow greatly appreciates the agreement between the Secretary-General and the Iraqi Administration. It is a major diplomatic success for the entire international community, and it testifies to the effectiveness of the instruments the United Nations has to peacefully resolve international conflicts. We pay tribute to the diplomatic skill, wisdom and courage of the Secretary-General in defending the principles of the United Nations Charter.

Russia has taken concrete steps to support the Secretary-General's mission and has done everything possible to overcome the crisis relating to the activity of the United Nations Special Commission in Iraq. My country was guided, moreover, by the main goals: the need for full elimination of Iraq's weapons of mass destruction, maintaining United Nations monitoring in this field and avoiding the extremely dangerous consequences for the entire region in the event of an uncontrolled development of the situation.

The Memorandum of Understanding, signed in Baghdad on 23 February 1998, meets these goals. The United Nations Special Commission has been given the opportunity to continue its work unhindered in Iraq on the basis of current procedures, in full compliance with the decisions of the Council, including the need to respect Iraq's sovereignty, dignity and legitimate security concerns. A firm basis has been laid to speed up the implementation of the recommendations made last November by the special session of the Special Commission as to the need to make its work more effective and to enjoy broader international support. Russia, for its part, has already made proposals to the Special Commission for further enhancement of its participation in the Commission's activities.

We also expect a rapid clarification of the agreed-upon procedures for examining and inspecting the presidential sites, so as to promptly get on with full implementation of the Memorandum of Understanding, under the control of the Secretary-General. The Memorandum has full legal force. It meets all the generally accepted norms for the practice of international law in the area of international agreements. Already approved by the Security Council on 24 February when the Secretary-General reported to Council members on the results of his mission, this was addressed by the Council President in a statement on that very same day.

The resolution adopted today, despite the complicated process for harmonizing it, reflects many points fundamental for us and for many other delegations. This made it possible to ensure a consensus in the Council.

The main goal of the resolution is not only to again reaffirm support for the Secretary-General's mission, but also to officially approve the Memorandum and to emphasize the need for its rapid and full implementation. The resolution contains nothing that would go beyond the boundaries of the agreements achieved by the Secretary-General in Baghdad. It is important that the resolution contains a confirmation of Iraq's obligations and that there is mention of the commitment of all United Nations members to the sovereignty, territorial integrity and political independence of Iraq, Kuwait and the neighbouring States.

The resolution contains a political warning to Iraq, whereby new violations by that country will have extremely serious consequences. At the same time, there has been full observance of the legal prerogatives of the Security Council, in accordance with the United Nations Charter. The resolution clearly states that it is precisely the Security Council which will directly ensure its implementation, including the adoption of appropriate decisions. Therefore, any hint of automaticity with regard to the application of force has been excluded; that would not be acceptable for the majority of the Council's members.

A special role in reaching consensus was played by the clear and unambiguous statements by the sponsors of the draft resolution during informal consultations about

the absence in the text of such automaticity. If the Memorandum of Understanding is violated, which we hope will not happen, then the Security Council would discuss the situation that would have arisen at that time and would take the relevant decision. In the statement of the representative of Japan at today's official meeting, this position was clearly confirmed on behalf of the sponsors. We are grateful for this.

No one can ignore the resolution adopted today and attempt to act by bypassing the Security Council. At the same time, the resolution clearly shows that there is a light at the end of the tunnel by confirming that, with regard to the current sanctions regime, the Council will be guided by the provisions of its resolution 687 (1991), which include, of course, paragraph 22 on the criteria for lifting the oil embargo. We hope that this will take place soon.

The President: I thank the representative of the Russian Federation for his kind words addressed to me.

I shall now make a statement in my capacity as Secretary of State for Foreign Affairs of the Gambia.

The situation in Iraq and its relations with the United Nations have been very disturbing for a long time, and more particularly in the past few weeks. Following the ceasefire agreements of 1991, Iraq has been in constant violation of its obligations to the United Nations.

Notwithstanding these violations, the United Nations has been considerate enough to put in place the oil-for-food programme, which was recently generously increased as per Security Council resolution 1153 (1998), a humanitarian gesture geared towards alleviating some of the hardship faced by the Iraqi people. This programme is apparently a successful one.

Reports reaching the Council, however, have revealed that Iraq has constantly obstructed the United Nations Special Commission (UNSCOM) in the performance of its duties and denied the Commission access to the eight presidential sites it unilaterally declared as sensitive sites. The reports also reveal that Iraq is not just being obstructive, but also not transparent in its disclosures. It is the position of my delegation that Iraq must comply with its obligations or be made to comply.

The Memorandum of Understanding signed between the Secretary-General and the Deputy Prime Minister of Iraq is a very welcome window of opportunity. We once again congratulate the Secretary-General for his heroic achievement. This is a clear manifestation that preventive diplomacy is the best solution to threats to world peace. My delegation applauds this achievement. It has brought great relief to the world and will thus remain indelible in the annals of history of the United Nations.

The present Iraqi issue has revealed how very peace-loving this world is, and thus we must always endeavour to give the world that which it cherishes: peace for humanity. We hope that Iraq will share the same sentiments.

While we call on Iraq to comply with its obligations, it is our belief that this Council should be prepared to act should Iraq, as usual, violate its obligations under the Memorandum of Understanding and/or other relevant resolutions.

My delegation wishes to take this opportunity to register our profound appreciation for the job done by the sponsors of the present resolution on Iraq. The lengthy consultations that took place recently and their present outcome clearly manifest the unity of this Council. The present resolution is a welcome idea. It has very important provisions which my delegation believes should be applauded in lending our support to it.

In paragraph 1, the resolution clearly endorses and approves the noteworthy achievement of the Secretary-General. This resolution is not meant to address the question of automaticity.

I now resume my functions as President of the Security Council.

The Council will now hear statements under rule 37 of its provisional rules of procedure.

The President: I should like to inform the Council that I have received a letter from the representative of Egypt, in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Elaraby (Egypt) took the seat reserved for him at the side of the Council chamber.

The President: The next speaker on my list is the representative of Mexico. I invite him to take a seat at the Council table and to make his statement.

Mr. Tello (Mexico)(*interpretation from Spanish*): Allow me at the outset to congratulate you, Mr. President, on your country's assumption of the presidency of the Security Council for the month of March. I also wish to congratulate your predecessor, the Permanent Representative of Gabon, who presided with great skill over the work of the Council in February, a month characterized by intensive activity.

My delegation is participating in this debate today to reaffirm Mexico's unswerving commitment to the purposes and principles of the United Nations Charter. The history of the Organization has undoubtedly recorded successes and failures, stagnation and creative spirit. We are gathered here today to pay tribute to diplomacy, to bear witness to the glowing possibilities still offered by the Charter and its institutions.

Mexico is a country firmly convinced that the peaceful resolution of disputes must prevail at all times as a means of choice to reconcile differences and foster understanding. This is one of the immutable principles governing my country's foreign policy, principles that are rooted in our history and peaceful tradition and are enshrined in our Constitution.

Mexico wishes to express once again its gratitude for the steps taken by various countries and organizations to reach a diplomatic solution to the dispute that arose with respect to United Nations inspections in Iraq.

My Government has already expressed its full support for and solidarity with the delicate and crucial mission undertaken by Mr. Kofi Annan, Secretary-General of our Organization, to find a political solution that would ensure full compliance with United Nations resolutions and avoid the use of force. For that reason, I am most pleased to extend my sincere congratulations to the Secretary-General. His mission, of course, had considerable means and expressions of broad support, but his talent, skill and perseverance showed the valued of diplomacy and raised high the name of the United Nations.

The agreement reached, thanks to the Secretary-General's endeavours with the highest authorities of the Government of Iraq, contains the commitments necessary to give full effect to the resolutions of the Security Council. My Government welcomes this outcome. We trust that the Government of Iraq will show good faith and will adhere to the obligations entered into. This undoubtedly constitutes the best path towards a new approach to international peace and security: replacing acts of defiance and force with measures to foster peaceful coexistence and make it possible, respect for international law and negotiated solutions to disputes.

The ideals of San Francisco are alive and well. Recent events have shown that we can and should aspire to civilized coexistence among the peoples of the earth, a coexistence in which arguments of reason, equality, justice, democracy and law prevail. The United Nations continues to be the pre-eminent forum of human society in which to achieve that objective.

The President: I thank the representative of Mexico for his kind words addressed to me.

The next speaker on my list is the representative of Pakistan. I invite him to take a seat at the Council table and to make his statement.

Mr. Kamal (Pakistan): Allow me at the outset to express my pleasure at addressing the Council under your distinguished presidency, Sir, and our appreciation to your predecessor for the excellent manner in which he conducted the affairs of the Council during the previous month.

My delegation would like to congratulate the Secretary-General for his sincere and sustained efforts in finding a peaceful resolution of the crisis in the Gulf. We welcome the Security Council's endorsement of the agreement which he so painstakingly negotiated in Baghdad. In the end, good sense and wisdom appear to have prevailed, and we can all rejoice.

Pakistan's principled position on this issue is well known. In a letter addressed to the Secretary-General on 21 February 1998, the Prime Minister of Pakistan reiterated that,

"Pakistan supports the full implementation, in letter and spirit, of all United Nations resolutions without exception, whether they pertain to Iraq, Kashmir, Palestine or any other issue".

Pakistan upholds the principle of sovereignty and territorial integrity of all countries. We have constantly advised against the use of force. Military action against Iraq would only increase the hardships of the innocent Iraqi people, who have already suffered gravely over the last seven years due to the sanctions and deprivations imposed on them.

Pakistan earnestly hopes that the approval of the Memorandum of Understanding by the Security Council will pave the way for the full and scrupulous implementation of the relevant Security Council resolutions, as well as for the early lifting of sanctions against Iraq. We urge all parties to faithfully fulfil their respective obligations under the Memorandum of Understanding so that that day can dawn soon.

The President: I thank the representative of Pakistan for his kind words addressed to me.

The next speaker inscribed on my list is the representative of Malaysia. I invite him to take a seat at the Council table and to make his statement.

Mr. Hasmy (Malaysia): I wish to extend my delegation's profound appreciation and congratulations to the Secretary-General, His Excellency Mr. Kofi Annan, for undertaking his bold initiative to visit Baghdad and for concluding an agreement with the Iraqi Government on 23 February 1998 which has profound implications for international peace and security. The Secretary-General had prepared his visit well, with the unanimous support of the Security Council and with the encouragement and prayers of the entire international community. Malaysia warmly welcomes the agreement concluded between the Secretary-General and the Government of Iraq, which has averted what we believe would have been an unnecessary and senseless military attack on Iraq that would inevitably have resulted in the tragic loss of innocent lives and the destruction of properties.

The Secretary-General, in accomplishing his mission, has, in the words of my Foreign Minister in his letter to the Secretary-General late today,

> "reaffirmed the authority of the office of the United Nations Secretary-General as well as restored, at a very critical time, mutual trust and understanding between and among Member States as well as respect for international law and the dignity and sovereignty of Member States, and not only prevented a senseless military conflict but also returned the United Nations to its proper place at the forefront of international diplomacy."

Malaysia draws a great sense of relief and gratification from the fact that in the end, wisdom, common sense and constructive, creative diplomacy by all concerned — and particularly by the Secretary-General — have prevailed over the initial temptation to use force.

Malaysia served in the Council in 1990, when the invasion of Kuwait took place. Together with other members of the Security Council, we supported Security Council resolution 678 (1990) calling for the withdrawal of all Iraqi forces from Kuwait. Today's Council meeting takes place amid developments precipitated by the crisis over full access by the United Nations Special Commission (UNSCOM) to all suspected weapons-of-mass-destruction sites in Iraq and Iraq's full compliance with all Security Council resolutions. Malaysia joins the rest of the international community in calling on Iraq to honour all the relevant Security Council resolutions, including the resolution just adopted, unequivocally and without reservations, while at the same time calling on the Council to respect the sovereignty, dignity and territorial integrity of Iraq.

It is Malaysia's fervent hope that the Memorandum of Understanding signed by the Secretary-General, Mr. Kofi Annan, and by the Deputy Prime Minister of Iraq, Mr. Tariq Aziz, and the resolution just adopted will be upheld by all the parties concerned, thereby resolving once and for all the dispute between Iraq and the Security Council over the issue of UNSCOM's access to these suspected weapons-of-mass-destruction sites in Iraq. Malaysia further hopes that following this latest agreement and the adoption of today's resolution, there will no longer be any necessity or excuse for military action against Iraq and that there will be no further misunderstanding on this issue, which, should it unfortunately arise again, must be resolved through diplomacy rather than the use of force. This, to my delegation, is the only acceptable and civilized way in which relations between nations should be conducted, consistent with the Charter of the United Nations. In our view, the use of bombs in these circumstances, however smart these bombs may be, would indeed be a sad failure of diplomacy and an unwillingness to use it to its utmost limits.

Malaysia continues to be profoundly concerned at the desperate plight of the long-suffering people of Iraq,

many of whom are experiencing the debilitating effects of the seven years of sanctions imposed on them by the international community. We therefore implore members of the Council, in the name of humanity, not to mete out further punishment to the hapless Iraqi people and to ensure the smooth implementation of Council resolution 986 (1995) as well as resolution 1153 (1998), which was adopted recently. We hope with that with the full implementation of this latest agreement, Iraq will be able to see the longed-for light at the end of the tunnel.

Malaysia warmly welcomes and strongly supports the recent decision of the Council to double the oil-for-food programme as a practical arrangement to avoid further deterioration of the current humanitarian situation in Iraq. It is Malaysia's hope that this will bring an additional measure of relief to alleviate the plight of the people of Iraq and ensure that they are allowed to benefit from their rich natural resources, as set out in the provisions of Security Council resolution 986 (1995). It remains our hope and prayer that with the resolution of the current differences between the international community and Iraq, the sanctions on that country will be lifted in the near future.

The President: I thank the representative of Malaysia for the kind words he addressed to me.

The next speaker inscribed on my list is the representative of Argentina. I invite him to take a seat at the Council table and to make his statement.

Mr. Petrella (Argentina) (*interpretation from Spanish*): May I congratulate the Minister for Foreign Affairs of Gambia for serving as President of the Council in this month of March. We would like also to extend our warmest thanks to Ambassador Dangue Réwaka of Gabon for having contributed, during his term in the month of February, to creating an atmosphere conducive to the Secretary-General's complex and far-reaching mission in Baghdad.

In the same context and at the same time, on 17 February last, under circumstances of dramatic uncertainty, the President of Argentina, Mr. Carlos Menem, addressed a letter to the Secretary-General in support of a diplomatic solution to this serious crisis.

Today we can welcome the determination, the calm and the diplomatic skill shown by the Secretary-General and those officials who accompanied him on his good-offices mission to the Government of Iraq. Because of that success, the indispensable role of the United Nations in the maintenance of international peace and security has been enhanced and has gained greater visibility. In addition, the jurisdiction of the Security Council has been strengthened. Its responsibilities are clearly set out in the Charter and may not under any circumstances be evaded.

The Memorandum of Understanding reached by the Secretary-General in Baghdad addresses the question of compliance with Security Council resolutions, including observance of those aspects related to the mandate of the Special Commission. That agreement should be strictly interpreted and complied with in good faith and in conformity with international law. This too is the clear message that the Government of Argentina, holding the pro tem presidency of the Southern Cone Common Market, sent on 26 February last on behalf of that organization.

Furthermore, we believe that the statement made by the Secretary-General at the start of today's meeting very accurately and eloquently summarized the thinking of the Government of Argentina.

Lastly, we express to all members of this Council our gratitude for the sensitivity shown in the unanimous adoption of resolution 1153 (1998). We hope that its prompt implementation will substantially improve the humanitarian situation of the people of Iraq and contribute to mobilizing definitively the economy of the region, which has excellent human potential for progress and sustained development.

The President: I thank the representative of Argentina for the kind words he addressed to me.

The next speaker is the representative of Egypt. I invite him to take a seat at the Council table and to make his statement.

Mr. Elaraby (Egypt) (*interpretation from Arabic*): At the outset of my statement, I would like to welcome you, Sir, Your Excellency the Minister for Foreign Affairs of Gambia, and congratulate you on your assumption of the presidency of the Council for this month. I am also pleased to extend my sincerest appreciation to the Permanent Representative of Gabon, His Excellency Mr. Dangue Réwaka, for his able presidency of the Council last month.

Firstly, I would on behalf of Egypt like to pay tribute to the sincere and persistent efforts of the

Secretary-General and congratulate him for the historic success achieved in accordance with his responsibilities under the Charter. He managed to defuse the crisis and sign a Memorandum of Understanding with Iraq that allows for special arrangements for the inspection of presidential sites, which, in any country throughout the world, are considered important symbols of sovereignty. The intensive negotiations that were held by the Secretary-General with all the members of the Council, both permanent and non-permanent, as well as his constant contacts with the leaders of States that were able to influence the course of the crisis have undoubtedly been fruitful and saved the world from sliding into the so-called abyss of the use of force. Certainly, it could have had devastating effects, not only on the Iraqi people, but also on the peoples of the region as well as on peace and stability in the region. It could have even spilt over to the world as a whole.

Undoubtedly, in Egypt we think that the success of the Secretary-General in his historic mission attests to the central role that the United Nations must perform in order to maintain international peace and security in all parts of the world. We think that the success of his mission demonstrates that it is necessary to depend on the him when it comes to very sensitive diplomatic missions.

Since the outbreak of the crisis, Egypt has expressed its rejection of the use of military force as a means to settling international disputes. In general, the use of force is not only prohibited internationally under the rules of international law but also in accordance with the Article 2, paragraph 4, of the Charter. There are controls in Article 42 on when force can be resorted to, and also in Article 51, which is related to legitimate self-defence. In all cases, these controls must be subjected to the discretion of the Council.

Egypt hastened to intensify its contacts with all the concerned parties. President Hosni Mubarak, when the crisis was at its height, sent a number of letters to the Iraqi President urging him to take part in reaching a solution that was in conformity with the Security Council resolutions. The President also made a number of contacts with the leaders of the Arab States with all influential countries and with the Secretary-General. He also dispatched Mr. Esmat Abdul Maguid, the Secretary-General of the League of Arab States, to Baghdad to exert his utmost influence to find a peaceful solution to the crisis, which contributed, along with the Russian Federation and France as well as other States, to creating a favourable atmosphere for the successful visit of the Secretary-General to Baghdad.

The United Nations Special Commission and the International Atomic Energy Agency for almost seven years have made tangible progress in the disarmament of prohibited weapons in Iraq in accordance with paragraphs 8 to 13 of Security Council resolution 687 (1991). This progress must be taken into consideration when taking stock of Iraqi compliance as a prerequisite for lifting the sanctions that have led to the deterioration of the living conditions of the Iraqi people. In this connection, Egypt would like to see similar progress made when it comes to the question of the Kuwaiti prisoners of war, missing persons, and properties.

In conclusion, the Egyptian delegation places great importance on recalling paragraph 14 of resolution 687 (1991), related to zones free from weapons of mass destruction, which has yet to be implemented. Since 1990, Egypt has requested that this paragraph should include all of the countries of the region without any exception. While we confirm the importance of Iraq complying with all its commitments in accordance with the relevant Security Council resolutions, it is necessary for the Council not to ignore seriously considering the implementation of this important paragraph in order to achieve national security of States in the region; such consideration would also help the Security Council to discharge its responsibilities without any selectivity.

The President: I thank the representative of Egypt for the kind words he addressed to me.

I should like to inform the Council that I have received a letter from the representatives of Kuwait and Peru, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Abulhasan (Kuwait) and Mr. Guillén (Peru) took the seats reserved for them at the side of the Council Chamber.

The President: The next speaker is the representative of Peru. I invite him to take a seat at the Council table and to make his statement.

Mr. Guillén (Peru) (*interpretation from Spanish*): I have the pleasure to extend my Government's congratulations to you, Sir, on your assumption of the presidency, as well as to your distinguished predecessor. I would also like to thank you for this opportunity to speak under rule 37 of the provisional rules of procedure of the Security Council, whereby Member States have an opportunity to speak on matters before the Council.

Peru has taken the floor on this occasion, first of all, to welcome the fact that the Security Council authorized the Secretary-General to carry out his mission to see to it that the most basic tenets of law prevail, in fulfilment of the decisions adopted by the United Nations.

Fortunately, the Secretary-General's mission took place under circumstances and with a mandate quite different from those of January 1991. The Memorandum of Understanding of 23 February 1998, which the Security Council has now endorsed, highlights not only the initiative, skill and authority of the Secretary-General, Mr. Kofi Annan, but also the importance of his functions. The Government of Peru vigorously supports the Secretary-General's action.

This success in reaching an agreement also shows that the norms of international law should be the pillars of international peace and security, as the Security Council itself decided in adopting resolution 687 (1991) of 3 April 1991, which punished the breach of international norms protecting the integrity of State boundaries, when an attempt was made, through the invasion of Kuwait, to make force prevail over law.

We earnestly hope that compliance by the Government of Iraq with Council resolutions, along with an awareness of humanitarian issues, will put an end to the suffering of the Iraqi people.

Finally, and above all, this is an agreement with full legal validity signed on behalf of the entire United Nations and bearing on the maintenance of international peace and security. In other words, this event is also an acknowledgment of the Organization as a whole.

The President: I thank the representative of Peru for the kind words he addressed to me.

The next speaker is the representative of Kuwait. I invite him to take a seat at the Council table and to make his statement.

Mr. Abulhasan (Kuwait) (*interpretation from Arabic*): It gives me great pleasure, Sir, to congratulate you on your assumption of the presidency of the Security Council for the month of March. Your presence in the Chair has enhanced today's meeting. We are confident that the diplomatic skills of Ambassador Momodou Sallah and the entire Gambian delegation will enable the Council to achieve success in its work.

I wish also to pay tribute to the Permanent Representative of Gabon for the manner in which he presided over the work of the Council in February.

The Security Council has just adopted a resolution that we in Kuwait view as an outstanding and most important example of diplomacy supported by force — and by a firmness that is reflected in this evening's unanimous vote. The resolution endorses the Memorandum of Understanding agreed with the Government of Iraq by the Secretary-General, Mr. Kofi Annan. That achievement resolved a problem that came close to imperiling peace and stability in our region as well as threatening the people of Iraq and all the other peoples of the region. Through its Council of Ministers, Kuwait issued a statement immediately upon the Secretary-General's triumphant return, officially endorsing the Memorandum of Understanding.

Kuwait has always earnestly followed a policy aimed at protecting our region from crises resulting from a failure to implement relevant Security Council resolutions. For that reason, we hope that the Iraqi Government — having tested the determination of the Security Council, the probity of the Secretary-General and the unanimous nature of the message he carried — will implement the Memorandum of Understanding in full, both in letter and in spirit, along with the relevant Security Council resolutions.

We in Kuwait and in all the other countries of the Gulf Cooperation Council believe that there is an organic relationship between the success of the United Nations Special Commission (UNSCOM) and peace and security in our region. That is why all statements issued by Kuwait or by any other member of the Gulf Cooperation Council — most recently the statement adopted at the Gulf Cooperation Council summit conference — have called upon Iraq to cooperate with the Special Commission. We have on earlier occasions stated our full support for the Special Commission and its efforts to carry out its mandate.

We fully understand the eagerness of the Security Council to protect Iraqis as individuals and other inhabitants of the region from the scourge of weapons of mass destruction. But we also believe that there are other scourges sorely afflicting many Kuwaitis whose fate is unknown — prisoners of war and detainees held in Iraq — and many nationals of third countries. Here I thank the representatives of Bahrain and of Slovenia, along with other representatives, who spoke of the tragedy of Kuwaiti prisoners of war and detainees. Addressing this problem is among the basic commitments that Iraq must meet before there is any question of lifting the sanctions.

We in Kuwait pinned high hopes on the Secretary-General's mission and on today's meeting of the Security Council. Kuwaitis are praying and beseeching the Council to attach the same importance to Kuwaitis and Kuwaiti prisoners and detainees as it has attached to others in the region when it sought to save them from the threat of weapons of mass destruction. We know that neither the Charter nor international law discriminates among human beings.

That is why I address the Council not in my official capacity, but as a Kuwaiti, a Kuwaiti individual who carries here at the United Nations the responsibility of defending the destiny of the Kuwaiti detainees and prisoners, who represent 1 per cent of the total population of Kuwait. I repeat, 1 per cent of the total population. Even if this number were much smaller, a human being is a human being, and respect for his dignity must come before any other consideration.

That is why I come to the Council to present the tragedy of these innocent people. They expect from the Council the same enthusiasm that they felt it expressed when it dealt with the subject of Kuwaiti detainees, prisoners of war and citizens of third countries.

In conclusion, I would like to say that Kuwait has blessed the recent Council resolution 1153 (1998), which permits an increase in oil sales to $5.256 billion, because Kuwait suffers exactly as the Iraqi people do. That is why, when a measure is taken to relieve the Iraqi people, we in Kuwait bless it without any reservations, and we expect the Council to take similar measures when it comes to the Kuwaiti prisoners and detainees.

We would like to conclude by thanking God and thanking you, Mr. President.

The President: I thank the representative of Kuwait for his kind words addressed to me.

There are no further speakers on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The Security Council will remain seized of the matter.

The meeting rose at 9.15 p.m.

United Nations S/PV.3859

Security Council

Fifty-third Year

Provisional

3859th Meeting

Friday, 6 March 1998, 4.55 p.m.

New York

President:	Mr. Sedat Jobe	(Gambia)
Members:	Bahrain	Mr. Buallay
	Brazil	Mr. Patriota
	China	Mr. Shen Guofang
	Costa Rica	Mr. Berrocal Soto
	France	Mr. Dejammet
	Gabon	Mr. Dangue Réwaka
	Japan	Mr. Tanaka
	Kenya	Mr. Mahugu
	Portugal	Mr. Monteiro
	Russian Federation	Mr. Fedotov
	Slovenia	Mr. Türk
	Sweden	Mr. Lidén
	United Kingdom of Great Britain and Northern Ireland	Mr. Gomersall
	United States of America	Mr. Richardson

Agenda

The situation in Croatia

98-85094 (E)

This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one week of the date of publication*, to the Chief of the Verbatim Reporting Service, room C-178.

The meeting was called to order at 4.55 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Croatia

The President: I should like to inform the Council that I have received a letter from the representative of Croatia, in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Šimonović (Croatia) took a seat at the Council table.

The President: The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

I should like to draw the attention of the members of the Council to the following documents: S/1998/161, letter dated 26 February 1998 from the Chargé d'affaires *ad interim* of the Permanent Mission of Yugoslavia to the United Nations addressed to the President of the Security Council; and S/1998/197, letter dated 5 March 1998 from the Permanent Representative of Croatia to the United Nations addressed to the President of the Security Council.

Following consultations among members of the Security Council, I have been authorized to make the following statement on behalf of the Council:

"The Security Council expresses its concern at the Croatian Government's lack of compliance with obligations assumed under the Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium (S/1995/951), the Croatian Government's letter of 13 January 1997 (S/1997/27, annex) and the agreement of 23 April 1997 between the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES), the United Nations High Commissioner for Refugees (UNHCR) and the Croatian Government concerning the return of refugees and displaced persons. The Council notes that the overall security situation in the Danube region remains relatively stable, but is particularly concerned about the increasing incidence of harassment and intimidation of the local Serb community in the region and the failure of the Croatian Government to apply the process of national reconciliation in an effective way at the local level. This worrying situation, together with recent statements by the Croatian authorities, cast doubt upon the Republic of Croatia's commitment to include ethnic Serbs and persons from other minorities as full and equal members of Croatian society.

"The Security Council, recalling the statement by its President of 13 February 1998 (S/PRST/1998/3) and having noted the letter from the Permanent Representative of the Republic of Croatia of 5 March 1998 (S/1998/197), calls upon the Croatian Government publicly to reaffirm and by its actions to demonstrate its commitment to fulfilling its obligations under the Basic Agreement and other agreements in full, including through progress on national reconciliation at every level. In particular, the Council calls upon the Croatian Government to take prompt and unequivocal steps to ensure the safety, security and rights of all Croatian citizens and to build confidence among the Serb community throughout Croatia, including by providing promised funding for the Joint Council of Municipalities. These steps should include measures to create the conditions to allow local Serbs to remain in the region, to facilitate the return of refugees and displaced persons and to address underlying practical and economic issues which inhibit returns. The Council calls upon the Croatian Government to: establish clear procedures for the documentation of refugees from Croatia; issue an equitable plan for nationwide two-way returns; implement fully and fairly its legislation on amnesty; act promptly to pass equitable property and tenancy rights legislation which would encourage returns and stimulate additional international reconstruction assistance; ensure fair employment benefit practices and equal economic opportunity; and ensure the non-discriminatory application of the rule of law.

"The Security Council recognizes that, since the end of the UNTAES mandate, the performance of the Croatian police has been generally

satisfactory, and in this context expresses its appreciation and support for the work of the United Nations civilian police support group. The Council notes, however, that public confidence in the police is low. The Council calls upon the Croatian Government to take measures, including through public information and police preventive action, to improve public confidence in the police as part of a wider programme of measures to prevent ethnically motivated crime and ensure the protection and equal treatment of all Croatian citizens, regardless of ethnicity.

"The Security Council stresses that, following the termination of UNTAES, responsibility for the full reintegration of the Danube region lies clearly with the Croatian Government. The United Nations will continue to work closely with the Organization for Security and Cooperation in Europe (OSCE) in monitoring the situation and reminding the Croatian Government of its obligations."

This statement will be issued as a document of the Security Council under the symbol S/PRST/1998/6.

The Security Council has thus concluded the present stage of its consideration of the item on the agenda.

The meeting rose at 5.05 p.m.

United Nations S/PV.3860

Security Council

Fifty-third Year

Provisional

3860th Meeting

Monday, 16 March 1998, 11 a.m.

New York

President:	Mr. Sallah	(Gambia)
Members:	Bahrain	Mr. Buallay
	Brazil	Mr. Amorim
	China	Mr. Shen Guofang
	Costa Rica	Mr. Berrocal Soto
	France	Mr. Dejammet
	Gabon	Mr. Dangue Réwaka
	Japan	Mr. Konishi
	Kenya	Mr. Mahugu
	Portugal	Mr. Monteiro
	Russian Federation	Mr. Sergeev
	Slovenia	Mr. Türk
	Sweden	Mr. Lidén
	United Kingdom of Great Britain and Northern Ireland	Sir John Weston
	United States of America	Mr. Richardson

Agenda

The situation in the Central African Republic

Report of the Secretary-General pursuant to resolution 1152 (1998) concerning the situation in the Central African Republic (S/1998/148 and Add.1)

98-85100 (E)

This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one week of the date of publication*, to the Chief of the Verbatim Reporting Service, room C-178.

The meeting was called to order at 11.20 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Central African Republic

Report of the Secretary-General pursuant to resolution 1152 (1998) concerning the situation in the Central African Republic (S/1998/148 and Add.1)

The President: I should like to inform the Council that I have received a letter from the representative of the Central African Republic in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Deinde Fernandez (Central African Republic) took a seat at the Council table.

The President: The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the report of the Secretary-General pursuant to resolution 1152 (1998) concerning the situation in the Central African Republic, documents S/1998/148 and Addendum 1.

Members of the Council also have before them document S/1998/231, which contains the text of a draft resolution prepared in the course of the Council's prior consultations.

I should like to draw the attention of the members of the Council to the following documents: S/1998/219, letter dated 11 March 1998 from the Permanent Representative of the Central African Republic to the United Nations addressed to the President of the Security Council, transmitting a letter of the same date from the President of the Central African Republic to the President of the Security Council; S/1998/221, letter dated 11 March 1998 from the Secretary-General addressed to the President of the Security Council, transmitting a letter dated 9 March 1998 from the Chairman of the International Monitoring Committee established pursuant to the mandate of the Inter-African Mission to Monitor the Implementation of the Bangui Agreements (MISAB), transmitting the report of the Member States participating in MISAB to the Security Council pursuant to resolution 1152 (1998); and S/1998/233, letter dated 13 March 1998 from the Permanent Representative of Gabon to the United Nations addressed to the President of the Security Council, transmitting a letter of the same date from the President of the Gabonese Republic to the President of the Security Council.

It is my understanding that the Security Council is ready to proceed to the vote on the draft resolution (S/1998/231) before it. If I hear no objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Bahrain, Brazil, China, Costa Rica, France, Gabon, Gambia, Japan, Kenya, Portugal, Russian Federation, Slovenia, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America

The President: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1155 (1998).

The Security Council has thus concluded the present stage of its consideration of the item on its agenda. The Security Council will remain seized of the matter.

The meeting rose at 11.30 a.m.

United Nations S/PV.3861

Security Council

Fifty-third Year

Provisional

3861st Meeting

Monday, 16 March 1998, 11.30 a.m.

New York

President:	Mr. Sallah	(Gambia)
Members:	Bahrain	Mr. Buallay
	Brazil	Mr. Amorim
	China	Mr. Shen Guofang
	Costa Rica	Mr. Berrocal Soto
	France	Mr. Dejammet
	Gabon	Mr. Dangue Réwaka
	Japan	Mr. Konishi
	Kenya	Mr. Mahugu
	Portugal	Mr. Monteiro
	Russian Federation	Mr. Sergeev
	Slovenia	Mr. Türk
	Sweden	Mr. Lidén
	United Kingdom of Great Britain and Northern Ireland	Mr. Gomersall
	United States of America	Mr. Richardson

Agenda

The situation in Sierra Leone

Letter dated 9 March 1998 from the Chargé d'affaires a.i. of the Permanent Mission of Sierra Leone to the United Nations addressed to the President of the Security Council (S/1998/215)

98-85106 (E)

This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one week of the date of publication*, to the Chief of the Verbatim Reporting Service, room C-178.

The meeting was called to order at 11.30 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Sierra Leone

Letter dated 9 March 1998 from the Chargé d'affaires a.i. of the Permanent Mission of Sierra Leone to the United Nations addressed to the President of the Security Council (S/1998/215)

The President: I should like to inform the Council that I have received a letter from the representative of Sierra Leone, in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. During (Sierra Leone) took a seat at the Council table.

The President: The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in response to the request contained in a letter dated 9 March 1998 from the Chargé d'affaires *ad interim* of the Permanent Mission of Sierra Leone to the United Nations addressed to the President of the Security Council, document S/1998/215.

Members of the Council also have before them document S/1998/232, which contains the text of a draft resolution submitted by Kenya and the United Kingdom of Great Britain and Northern Ireland.

It is my understanding that the Security Council is ready to proceed to the vote on the draft resolution (S/1998/232) before it. If I hear no objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Bahrain, Brazil, China, Costa Rica, France, Gabon, Gambia, Japan, Kenya, Portugal, Russian Federation, Slovenia, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America

The President: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1156 (1998).

The Security Council has thus concluded the present stage of its consideration of the item on its agenda. The Security Council will remain seized of the matter.

The meeting rose at 11.35 a.m.

United Nations S/PV.3862

Security Council

Fifty-third Year

Provisional

3862nd Meeting
Thursday, 19 March 1998, 1.10 p.m.
New York

President:	Mr. Sallah	(Gambia)
Members:	Bahrain	Mr. Buallay
	Brazil	Mr. Amorim
	China	Mr. Liu Jieyi
	Costa Rica	Mr. Sáenz Biolley
	France	Mr. Teixeira da Silva
	Gabon	Mr. Essonghé
	Japan	Mr. Owada
	Kenya	Mr. Mahugu
	Portugal	Mr. Andresen Guimarães
	Russian Federation	Mr. Fedotov
	Slovenia	Mr. Žbogar
	Sweden	Mr. Lidén
	United Kingdom of Great Britain and Northern Ireland	Mr. Gomersall
	United States of America	Mr. Richardson

Agenda

The situation in Bosnia and Herzegovina

98-85112 (E)

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The meeting was called to order at 1.10 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Bosnia and Herzegovina

The President: I should like to inform the Council that I have received a letter from the representative of Bosnia and Herzegovina, in which she requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mrs. Kalajdzisalihović (Bosnia and Herzegovina) took a seat at the Council table.

The President: The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

I should like to draw the attention of the members of the Council to document S/1998/248, which contains the text of a letter dated 17 March 1998 from the Permanent Representative of Bosnia and Herzegovina to the United Nations addressed to the President of the Security Council.

Following consultations among members of the Security Council, I have been authorized to make the following statement on behalf of the Council:

"The Security Council welcomes the announcement of the decision on 15 March 1998 relating to Brčko by the Arbitral Tribunal pursuant to Article V, Annex 2 to the General Framework Agreement for Peace in Bosnia and Herzegovina and the Annexes thereto (collectively the Peace Agreement, S/1995/999, annex) and to the Award of 14 February 1997 (S/1997/126).

"The Security Council, recalling that the 1997 Award helped to promote the start of a peaceful, orderly and phased return process in Brčko and the beginnings of the establishment of a multi-ethnic administration, considers that the decision of 15 March 1998 represents the best interests of the peace process. The Council commends the efforts of the Presiding Arbitrator and of the International Supervisor for Brčko.

"The Security Council calls upon the Parties to Annex 2 to the Peace Agreement to implement the decision without delay, as they are obliged to do. The Council underscores the importance of prompt and full cooperation by the parties to the Peace Agreement in carrying out their commitments to implement the Peace Agreement in its entirety, including cooperation with the International Supervisor for Brčko and the Office of the High Representative."

This statement will be issued as a document of the Security Council under the symbol S/PRST/1998/7.

The Security Council has thus concluded the present stage of its consideration of the item on the agenda.

The meeting rose at 1.15 p.m.